



DPU & EFSB Intervenor Support Grant Program

Public Comment Hearing

November 3, 2025

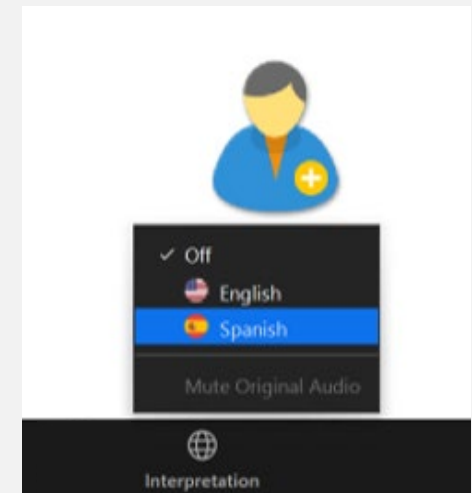
Interpretation Logistics

➡ Language Interpretation is being offered in: Español, Português, Kreyòl ayisyen, Tiếng Việt, 4 话, and American Sign Language (ASL).

- To participate in English, click the “Interpretation” icon and select English.
- Para entrar no canal em português, clique no ícone “Interpretation” e selecione “Portuguese”.
- Si alguien desea interpretación en español, haga clic en “Interpretation” y seleccione “Spanish”.
- Pou rantr nan chanèl kreyòl ayisyen an, klike sou ikòn “Interpretation” an epi chwazi “Haitian Creole”.
- 4 话I ỹ Ĩ 议 请单击H语图标□ 选择 “Chinese”.
- Để vào kênh bằng tiếng Việt, hãy nhấp vào biểu tượng “Interpretation” và chọn “Vietnamese”.

➡ Please speak slowly.

➡ All attendees must select a language channel, even if viewing the presentation in English.



Agenda

- 6:00-6:35: Opening Remarks
- 6:35-7:00: Presentation on Intervenor Support Program
- 7:00-7:05: Quick Procedural Q&A
- 7:05-7:15: Break
- 7:15-8:00: Comment Period
- 8:05-8:15: Break
- 8:15-8:55: Comment Period
- 8:55-9:00: Closing Remarks

Opening Remarks

Staff Presentation

2024 Climate Act Provisions for the DPU and EFSB Intervenor Support Program

- Establishes the Intervenor Support Grant Program (G.L. c. 25, §12S)
- Requires regulations to be promulgated by March 1, 2026 (G.L. c. 164, § 149)
- Establishes the DPU Division of Public Participation (DPP) (G.L. c. 25, § 12T)
- Tasks DPP with administering all aspects of the Program (G.L. c. 164, § 149)

Goal of Intervenor Support Grant Program

- Provide financial assistance to eligible entities (e.g., community groups, smaller municipalities) who are unable to participate in proceedings before the DPU and EFSB because of financial hardship
- Allow grantees to cover fees for attorneys, expert witnesses, community experts, administrative, and other eligible expenses
- Enable diverse voices and viewpoints in energy-related decision making

- ✓ G.L. c. 25, §18 and G.L. c. 25, §12S authorizes the DPU to make the following assessments and appropriations to the Intervenor Support Fund:
 - Assess 0.1% of intrastate operating revenues of electric companies under DPU jurisdiction. A portion of this assessment will be credited to the Fund;
 - Assess intrastate operating revenues of gas and electric companies under DPU jurisdiction to produce an amount not more than \$3.5 million annually to support the Program;
 - A portion of the EFSB application fee shall be credited to the Fund;
 - Appropriations specifically designated to be transferred to the Fund;
 - Non-ratepayer funded sources or income derived from investments of amounts credited to the Fund; **and**
 - Unexpended funds shall be credited against assessments made the following year and assessments in the following fiscal year will be reduced by unexpended amount.

Parties Eligible for Intervenor Support Grant Funding

220 CMR 34.03

- ✓ Organizations and entities that advocate on behalf of residential customers defined geographically or based on specific shared interests
- ✓ Organizations and entities that advocate on behalf of low- or moderate-income residential populations, residents of historically marginalized or overburdened and underserved communities
- ✓ Governmental bodies, including regional planning agencies, federally recognized Tribes, state-acknowledged Tribes or state-recognized Tribes
- ✓ A group of individuals that may be specifically and substantially affected by a proceeding

Only parties that have been granted intervenor status in a DPU or EFSB proceeding are eligible to receive grant awards.

Individuals and Limited Participants are not eligible to receive grant funding.

Eligibility Criteria for Grant Funding 220 CMR 34.03(1)



1. Whether an applicant lacks financial resources



2. Whether the applicant has previously intervened in a proceeding or participated since creation of the Program.



3. How the applicant proposes to substantially contribute to the proceeding



4. Whether the applicant proposes an achievable, reasoned, and clearly stated plan for participating in the proceeding



5. Whether the applicant has a unique perspective not adequately represented by other parties to the proceeding



6. The amount and reasonableness of funds requested and proposed budget items

Eligibility criteria 1 and 2 are from G.L. c. 164, § 149 (b) of the 2024 Climate Act. Municipalities with a population <7,500 are exempt from these criteria.

DPU and EFSB Intervenor Support Grant Program

Timing of Grant Application & Decisions

220 CMR 34.05

- Grant Applications should be submitted no later than the deadline to intervene in a DPU or EFSB proceeding as specified in the notice of the proceeding
- Grant Application is reviewed for completeness within 10 business days of receipt
- DPP may make conditional grant awards provided grant is not awarded until intervenor status is granted
- A written determination of grant approval status and payment decision to all applicants will be made within 30 days of the Grant Application deadline
- DPP Director's decision on whether to approve grant funding is final and not subject to further review

Grant Funding

220 CMR 34.06

- Grant awards for a single DPU or EFSB proceeding should not exceed \$150,000 for each party, and \$500,000 in aggregate for a single proceeding
- Funding can be increased past these maximums on demonstration of good cause or if novel, new, or complex issues arise
- DPP to consider the potential for intervenors that receive grant funding to share costs when positions align

1. A statement outlining the breadth and scope of the Applicant's anticipated participation in a proceeding. A description of how funds will be used and how the Applicant anticipates making a substantial contribution
2. An itemized estimate of the costs and fees of anticipated attorneys, consultants, and experts (including community experts) and all other costs for participation in a proceeding
3. Background information on attorneys, consultants, experts (including community experts) that the Applicant plans to retain and the services each will provide
4. A statement describing the position and nature of the interests that the applicant represents, and a summary of questions and concerns raised during pre-filing engagement meetings, if applicable
5. Amount of funds sought
6. A brief description of the Applicant seeking the grant, their nature of work, and a narrative to demonstrate that participating in the proceeding will be a significant financial hardship
7. The docket number(s) and case caption(s) of previous DPU and EFSB proceedings in which the Applicant has participated
8. An unincorporated group of individuals applying for a grant should submit a self-attestation that includes the name and address of all individuals in the group requesting funding, number of additional volunteers or supporters if applicable, a narrative explaining the group's collective mission and activities, and narrative to demonstrate the level of financial hardship.



Grant payment requests can be **submitted upfront** before costs are incurred upon showing of financial hardship. Up to 10% of the grant award may be awarded before costs are incurred.



Request will include basic information about grantee (e.g., name, address, contact details), proceeding docket # and case caption, grant amount awarded, funds received to date



Advanced payment should include itemized details of planned expenses with a brief description and invoices. Grant payments will be made within 30 days of receipt of request.



Grant payment can be **requested as reimbursements** of costs multiple times during a proceeding as costs are incurred



Request will include basic information about grantee (e.g., name, address, contact details), proceeding docket # and case caption, grant amount awarded, funds received to date



Reimbursement payment should include itemized details of funds spent and activities conducted with funds, receipts, and an attestation of the veracity of information submitted. Grant payments will be made within 30 days of receipt of request.

Compliance Requirements

Within 30 days of completion of the proceeding, grantee must submit a report with details of

- (i) How funds were used;
- (ii) Grantee’s substantial contribution to the proceedings; and
- (iii) Demonstrate that their participation and use of funding did not delay the proceeding.

If a grantee appeals a final decision, the grantee shall have an additional 30 days from the deadline for appeal to submit the report.

Eligible Uses of Grant Funding (G.L. c. 164, § 149 (g))



Retain qualified legal counsel, experts including qualified community experts and consultants for the proceeding/s identified in the Grant Application



Up to 10% can be used on non-legal and non-expert, and non-consultant administrative costs associated with participation. Costs may include cost of drafting Grant Application, if a third party was hired, and should be limited to no more than 5% of the total grant award.

Ineligible Uses of Grant Funding



Purchase or lease of equipment



Political lobbying related to the project



Advertising or marketing costs to publicize the applicant's view on the proceeding



Costs to appeal DPU or EFSB final decision in a proceeding

Program Outreach Efforts and Metrics Tracking

G.L. c. 164, § 149 (k) requires DPP to develop:



An accessible, multi-lingual, and plain language web-based educational materials, including forms and templates to educate prospective grantees and the public about the Program



A robust virtual and in-person outreach program to educate prospective grantees and the public about funding opportunities

G.L. c. 164, § 149 (j) requires DPP to:



Describe in its annual report all activities of the Fund e.g., money awarded, number of applicants, and intervenors' impact and contributions to DPU and EFSB proceedings.

Section 136 of the 2024 Climate Act requires DPP to:



Review the Program no later than June 1, 2029, and provide public comment opportunity to determine whether the Program and corresponding regulations should be amended.

Request for Comments

- Are there Massachusetts based organizations that can serve as fiscal sponsors for Grant Applicants, particularly a group of individuals (unincorporated association)? The DPP would like to develop a list of organizations that can play that role for Grantees.
- Where can we find information or who can we work with to put together an indicative fee scale for attorneys and expert witnesses working on cases relevant to the work of DPU and EFSB? This will serve as a valuable resource for Grant Applicants.
- What resources are available to connect interested Grant Applicants with legal counsel?
- Should the reimbursement of administrative costs associated with drafting the Grant Application be limited to 5 percent as proposed in 220 CMR 34.07(1)?

Public Comment Hearing

The meeting will resume shortly.

General Guidelines for Public Comments

- Please limit your comments to approximately 3 minutes.
- We will alternate between in-person and virtual commentors.
- We will aim to respond to as many comments as possible, depending on the topic and the time available.

Public Comment Hearing

The meeting will resume shortly.

Upcoming Public Comment Hearing

- Public Comment Hearing 4



- Wednesday, November 5, 6:00-9:00 p.m.



- North Shore Community College, 300 Broad St, Lynn, MA 01901, Cafeteria

Submitting Written Comments

- Regarding Intervenor Support Grant Program (D.P.U. 25-75), send to dpu.efiling@mass.gov and julianne.desmet@mass.gov
- Regarding EFSB 25-10, send to dpu.efiling@mass.gov and sitingboard.filing@mass.gov
- **Final written comment deadline: November 7, 2025**
- Comments should be sent as an attachment and email should include docket #, name of person/entity submitting filing, and brief description of document. Email should also include contact info (name, title, telephone #) in case of questions.
- Comments will be publicly accessible and posted to the DPU's FileRoom.

Contact

- Email for questions about comment hearings or regulations: sitingboard.filing@mass.gov
- D.P.U. 25-75 webpage for Intervenor Support Grant: <https://www.mass.gov/info-details/dpu-25-75-proposed-rulemaking>
- EFSB 25-10 webpage for EFSB regulations package: <https://www.mass.gov/info-details/efsb-25-10-proposed-rulemaking>

Thank you for joining us! Today's public hearing on the Intervenor Support Grant Program and EFSB regulations package has concluded.

We would like to hear from you. Please join us in-person or online for our final public hearing on Wednesday, November 5, 6:00 p.m. North Shore Community College, 300 Broad St, Lynn, MA 01901, Cafeteria @ 6 p.m.

Link to join online - <https://www.zoomgov.com/j/1612425626>

Final written comment deadline: **November 7, 2025**

For more information, visit: <https://www.mass.gov/info-details/energy-infrastructure-siting-and-permitting-reforms>