

## **NOTICE OF SECOND PUBLIC COMMENT HEARING**

### **PLEASE READ**

Northeast Energy Center LLC (“NEC” or “Company”), has filed amended and restated petitions with the Energy Facilities Siting Board (“Siting Board”) and the Department of Public Utilities (“Department”) relating to its proposal to construct a new natural gas liquefaction, storage and truck-loading facility in the Town of Charlton, Massachusetts (the “Project”).

The Siting Board is a state agency that will determine whether the proposed Project can be constructed and whether the Company’s requested zoning exemptions will be approved. The Siting Board will conduct a **public comment hearing regarding the proposed Project at 7:00 p.m. on Wednesday, May 29, 2019, at the Charlton Middle School Auditorium, 2 Oxford Road, Charlton, MA 01507**. The main purpose of the hearing is to receive public comment on the Project.

The attached legal notice (“Notice”) describes NEC’s proposed Project in more detail. The Company has identified a preferred site (the Route 169 Site) and two alternative sites (the Route 20 Site and the Sherwood Lane Site) for the Project. These sites are shown on the map that is included in the legal Notice. The Notice also explains the opportunities for public participation in the Siting Board review process. **Please read this Notice carefully.**

At the public comment hearing, the Company will provide information on the proposed Project, and the Siting Board will present information on its review process and receive comments and questions from members of the community. All comments are important to the Siting Board; anyone with an interest in the Project is encouraged to attend the public comment hearing. A Spanish/English interpreter will be present at the public comment hearing.

Individuals and groups affected by the Company’s petitions who wish to be involved in the Siting Board review process may request to participate as either intervenors or as limited participants. Such requests must meet the criteria outlined in the attached legal Notice. **The deadline to make such a request is 5:00 p.m. on Wednesday, June 12, 2019.** Questions concerning participation will also be answered at the public comment hearing, and also can be answered by the Presiding Officer, whose contact information is below.

Copies of the Company’s petitions are available for public inspection at the locations listed on the enclosed notice. If you have any questions about the Siting Board’s review process, please feel free to contact the Presiding Officer, M. Kathryn Sedor, Esq., at (617) 305-3525, or at [Kathryn.Sedor@mass.gov](mailto:Kathryn.Sedor@mass.gov). The Siting Board’s address is as follows: Energy Facilities Siting Board, One South Station, Boston, MA 02110.

**COMMONWEALTH OF MASSACHUSETTS**

**ENERGY FACILITIES SITING BOARD**

**NOTICE OF ADJUDICATION  
NOTICE OF SECOND PUBLIC COMMENT HEARING**

EFSB 18-04/D.P.U. 18-96

Northeast Energy Center LLC

Notice is hereby given that pursuant to G.L. c. 164, § 69J and G.L. c. 40A, § 3, Northeast Energy Center LLC (“NEC” or the “Company”) on February 28, 2019 filed an Amended and Restated Petition to Construct with the Energy Facilities Siting Board (“Siting Board”), and on April 19, 2019 filed an Amended and Restated Zoning Petition, in connection with the Company's proposal to construct a new facility to liquefy natural gas, to store the liquefied gas, and to load the liquefied gas onto trucks (“Facility”) in the Town of Charlton, Massachusetts, along with interconnecting natural gas pipelines (together, the “Project”).

***The Siting Board will conduct an additional public comment hearing on the NEC Project:***

**Wednesday, May 29, 2019, at 7:00 p.m.  
Charlton Middle School Auditorium  
2 Oxford Road, Charlton, MA 01507**

NEC filed its original petition to construct and zoning exemption petitions on August 31, 2018. The Siting Board conducted a public comment hearing on the original petitions on November 13, 2018 in Charlton. On December 13, 2018, the Company notified the Siting Board that it was considering revisions to the location and design of the Facility. On January 9, 2019, the Siting Board directed the Company to re-notice the Project and provide amended petitions and supporting materials due to the anticipated changes to the Project.

On February 28, 2019, NEC filed an Amended and Restated Petition to Construct the Project (“amended petition to construct”). The amended petition to construct the Facility identifies a new preferred site at 304 Southbridge Road (“Route 169 Site”) in Charlton, and two alternative sites: the originally preferred site at 249 Sturbridge Road (“Route 20 Site”); and a site located west of Sherwood Lane and south of the Millennium Power facility (“Sherwood Lane Site”). The amended petition to construct also describes a revised Facility design, which includes a single, field-erected LNG storage tank with a capacity of two million gallons, instead of the originally proposed ten pre-fabricated 100,000-gallon tanks. Each site would also require either newly constructed or modified driveways for access to the Facility. On April 19, 2019, the Company filed an Amended and Restated Zoning Exemption Petition seeking individual zoning exemptions and a comprehensive exemption from the Town of Charlton Zoning Bylaw to allow construction and operation of the Facility at each of three proposed sites (“amended zoning petition”).

The Company proposes to take natural gas from an existing underground Tennessee Gas Pipeline Company, L.L.C. (“TGP”) pipeline in Charlton, and transport the gas to the Facility via a new underground pipeline, which would be approximately one-half mile long for NEC’s preferred pipeline route to the Route 169 Site. This pipeline route, as well as several alternative routes, are described below. A new station and/or metering equipment would be installed in connection with the Facility. At the Facility the gas would be cooled to a liquid state, which would be stored on-site in the two-million-gallon tank. The liquefaction system would be capable of producing

approximately 250,000 gallons of LNG per day. LNG from the Facility would subsequently be transported by truck to gas company customers such as National Grid. NEC states that the Facility would enable its gas company customers to maintain reliable and economic natural gas service.

The Company also filed an amended petition pursuant to G.L. c. 40A, § 3, for several individual zoning exemptions and a comprehensive exemption from the Town of Charlton Zoning Bylaw. NEC's two petitions have been consolidated into one proceeding and will be heard by the Siting Board. The docket number for this consolidated proceeding is EFSB 18-04/D.P.U. 18-96.

### **Opportunity for Public Comment**

At the May 29, 2019 public comment hearing, the Company will present an overview of the updated Project and its new preferred and alternative sites. Public officials and the public will then have an opportunity to ask questions and provide comments about the updated Project. The public comment hearing will be recorded by a court reporter.

**Written comments may be submitted at the additional public comment hearing or filed with the Siting Board through Wednesday, June 12, 2019.** Comments should be filed by email attachment to both email addresses below, and a hard copy filed with the Siting Board at the mailing address below:

**M. Kathryn Sedor, Esq., Presiding Officer**  
**MA Energy Facilities Siting Board/DPU**  
**One South Station**  
**Boston, MA 02110**  
[kathryn.sedor@mass.gov](mailto:kathryn.sedor@mass.gov)  
[dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov)

### **Siting Board Jurisdiction**

The Siting Board will review the Company's filing to determine whether the revised Project will provide a reliable energy supply with a minimum impact on the environment at the lowest possible cost pursuant to G.L. c. 164, §§ 69H, 69J. Pursuant to G.L. c. 40A, § 3, the Siting Board will also consider whether such Project is "reasonably necessary for the convenience or welfare of the public" and whether the requested zoning exemptions are warranted.

### **Preferred Site for the Project**

NEC has identified the Route 169 Site, an approximately nine-acre site at 304 Southbridge Road in Charlton, as its new preferred site for the Project. The Project would include a new approximately one-half-mile-long interconnecting pipeline to connect to existing TGP facilities. If constructed at the Route 169 Site, the Facility could potentially be adapted in the future to provide gas to the adjacent Millennium Power Plant.

### **Alternative Sites for the Project**

NEC has identified two alternative locations for the Project. The Route 20 Site is a twelve-acre site within a 220-acre parcel located at 249 Sturbridge Road in Charlton, which was NEC's original preferred site. The Project at this site would include a new 1.5-mile interconnecting

pipeline, connecting to existing TGP facilities. The Sherwood Lane Site is an eight-acre site directly south of the Millennium Power facility off Southbridge Road.

### **Proposed and Alternative Pipeline Routes**

For the Route 169 Site, the Company proposed one preferred pipeline route and five alternative routes. For the noticed alternative sites, each has one preferred pipeline interconnection route and one alternative route.

#### **Interconnecting Pipeline Alternatives**

| <b>LNG Storage Site</b>                         | <b>Pipeline Route Name</b>    | <b>Route Description</b>   | <b>Length (feet)</b> |
|---|-------------------------------|--|----------------------|
| <b>Route 169 Site (Preferred site)</b>          | Preferred Interconnection     | Branches off the TGP Millennium Power Gas Lateral; proceeds south, east of the Millennium Power facility; continues south, within Route 169; arrives at the Facility.  | 2,830                |
|   | Alternative 1                 | Branches off the TGP Millennium Power Gas Lateral; proceeds south, east of the Millennium Power facility; continues south, west of the Incom Inc. building; arrives at the Facility.   | 2,962                |
|   | Alternative 2                 | Begins near TGP Compressor Station 264; proceeds west within the TGP Main Line right-of-way ("ROW"); turns south at Route 169, continues south within Route 169; arrives at the Facility.  | 6,900                |
|   | Alternative 3                 | Begins midway down the TGP Southbridge Gas Lateral; proceeds west across undeveloped and residential land; arrives at the Facility.  | 2,500                |
|   | Alternative 4                 | Begins at the TGP Main Line; proceeds south, within the Millennium Power interconnection ROW; continues south, east of the Millennium Power facility; continues south and west of the Incom, Inc. building; arrives at the Facility. | 4,677                |
|   | Alternative 5                 | Begins near TGP Compressor Station 264; proceeds south with in the TGP Southbridge Lateral ROW; turns west across undeveloped and residential land; arrives at the Facility.   | 8,200                |
| <b>Route 20 Site (Noticed Alternative)</b>      | Route 20 Preferred Route      | Begins at the TGP Main Line, west of Berry Corner Road; proceeds north across undeveloped land; arrives at the Facility.   | 7,100                |
|   | Route 20 Alternative          | Begins at the TGP Main Line, west of Berry Corner Road; proceeds north across undeveloped land; arrives at the Facility.   | 7,000                |
| <b>Sherwood Lane Site (Noticed Alternative)</b> | Sherwood Lane Preferred Route | Branches off the TGP Millennium Power Gas Lateral; proceeds south and east of the Millennium Power facility; arrives at the Facility.  | 1,279                |
|   | Sherwood Lane Alternative     | Branches off the TGP Millennium Power Gas Lateral; proceeds south and west of the Millennium Power facility; arrives at the Facility.  | 1,996                |

## **Public Review of the Company's Amended Petitions**

The general location, layout, dimensions and configuration of the Project are shown on maps and plans included in the Company's amended petitions. Copies of the Company's amended petitions and attachments are available for public inspection at the Energy Facilities Siting Board, One South Station, Boston, MA 02110, and at the office of the Company's counsel at Pierce Atwood LLP, 100 Summer Street, Boston, MA 02110. Copies are also available at the following locations:

- Charlton Public Library, 40 Main Street, Charlton, MA 01507
- Joshua Hyde Public Library, 306 Main Street, Sturbridge, MA 01566
- Jacob Edwards Library, 236 Main Street, Southbridge, MA 01550
- Charlton Town Clerk's Office, 37 Main Street, Charlton, MA 01507
- Sturbridge Town Clerk's Office, 308 Main Street, Sturbridge, MA 01566
- Southbridge Town Clerk's Office, 41 Elm Street, Southbridge, MA 01550

In addition, the Company's Petitions, including all attachments, are electronically available via the Department of Public Utilities' website at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber/EFSB18-04>. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, or audio format) contact the Department's ADA coordinator at [DPU/ADACoordinator@mass.gov](mailto:DPU/ADACoordinator@mass.gov) or (617) 305-3500.

## **Intervention and Participation**

If you submitted a petition to intervene or participate in response to the original NEC filing, you do not need to re-file your petition; you may, however, supplement your original petition by the deadline below to reflect the changes to the Project, should you wish to do so.

Additional persons or groups who now wish to be involved in the Siting Board proceeding -- beyond providing comments at the public comment hearing -- may seek either to intervene as a party or to participate as a limited participant. An intervenor has rights that include the right to participate in the evidentiary phase of the proceeding, including evidentiary hearings in Boston, and to appeal the Siting Board's final decision. A limited participant has rights that include the right to receive documents submitted to the Siting Board during the proceeding and to present written or oral argument to the Siting Board after evidentiary hearings conclude. Any person interested in intervening as a party or participating as a limited participant in this proceeding must file a written petition with the Presiding Officer. Petitions must satisfy the timing and substantive requirements of 980 CMR 1.05 of the Siting Board's procedural rules, which can be found on the Siting Board's website at: <https://www.mass.gov/how-to/file-a-petition-to-intervene-in-an-efsb-or-dpu-siting-case>.

A petition to intervene or participate as a limited participant must be filed in three places.

First, the petition must be filed with the Siting Board in electronic format by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov). E-mailed petitions must be received by the Siting Board **no later than 5:00 p.m. on Wednesday, June 12, 2019**. The text of the email must specify: (1) the docket number of the proceeding (EFSB 18-04/D.P.U. 18-96); (2) the name of the person or entity submitting the filing; and (3) a brief description of the document. The electronic filing should also include the name, title and telephone number of a person to contact in the event of questions about the filing. The electronic copy of the petition also must be copied to the Presiding Officer at [kathryn.sedor@mass.gov](mailto:kathryn.sedor@mass.gov).

Second, no later than June 12, 2019, a copy of the petition must be mailed in hard copy to the Presiding Officer, M. Kathryn Sedor, Esq., Energy Facilities Siting Board, One South Station, Boston, Massachusetts, 02110,

Third, no later than June 12, 2019, the petition must be sent in electronic format by e-mail attachment to counsel for NEC, James M. Avery, Esq., Pierce Atwood LLP, 100 Summer Street, Boston, MA 02110, at [javery@pierceatwood.com](mailto:javery@pierceatwood.com).

Reasonable accommodations for people with disabilities are available upon request. Requests should be directed to the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov) or (617) 305-3500. Please include a description of the accommodation you will need, including as much detail as you can. Also include a way that we can contact you should we need more information. Please provide as much advance notice as possible. Last minute requests will be accepted, but may not be able to be accommodated.

A Spanish/English interpreter will be present at the May 29, 2019 public comment hearing. Interpretation services for those with limited English language proficiency who speak languages other than Spanish also are available upon request. Requests should be directed to the Presiding Officer (contact information below). Please include in your request the language required, and a way to contact you if we should need more information. Please provide as much advance notice as possible. Last minute requests will be accepted, but may not be able to be accommodated.

Any person desiring further information regarding this Notice, including information about intervention or participation in the adjudicatory proceeding, may contact the Presiding Officer at the address, telephone number, or email below:

M. Kathryn Sedor, Esq., Presiding Officer  
Energy Facilities Siting Board/DPU  
One South Station  
Boston, MA 02110  
(617) 305-3525 or [kathryn.sedor@mass.gov](mailto:kathryn.sedor@mass.gov)

