

**COMMONWEALTH OF MASSACHUSETTS  
ENERGY FACILITIES SITING BOARD**

**NOTICE OF ADJUDICATION and ADJUDICATORY HEARING**

**East Boston Substation Certificate Request by Eversource Energy, EFSB 22-01**

Notice is hereby given that NSTAR Electric Company d/b/a Eversource Energy (“Eversource” or the “Company”) has filed with the Energy Facilities Siting Board (the “Siting Board” or “EFSB”), pursuant to G.L. c. 164, §§ 69K-69O, an Initial Petition and an Application for a Certificate of Environmental Impact and Public Interest (“Certificate”) for EFSB-issuance of 15 state and local permits required for construction and operation of a new electric substation in East Boston (the “Substation”). The Substation was approved in 2017 as part of the Mystic-East Eagle-Chelsea Reliability Project (the “Project”) in Eversource Energy, EFSB-14-04/D.P.U. 14-153/14-154 (2017) (“Eversource 2017”). The Siting Board approved the relocation of the Substation in 2021 190 feet to the west of the originally approved location at 400 Condor Street in East Boston in Eversource Energy, EFSB-14-04A/D.P.U. 14-153A/14-154A (2021) (“Eversource 2021”). The Siting Board’s informational webpage for this proceeding and will update it during the proceeding: <https://mass.gov/info-details/east-eagle-certificate>.

***IMPORTANT DATES:***

**Wednesday, March 30, 2022:** The Siting Board will conduct a remote public comment hearing regarding the Project on Zoom at 6:00 pm, and if necessary, resuming on **Thursday, March 31, 2022, at 6:00 pm.** Attendees can join by clicking (or entering) the following link: <https://us06web.zoom.us/j/82397324201> from a computer, smartphone, or tablet. No prior software download is required. For audio-only participation, attendees can dial in at **(646) 558-8656 (not toll free)** and then enter the Webinar ID: **82397324201**. Simultaneous English-to-Spanish and Spanish-to-English interpretation will be provided. All attendees should select a preferred language (English or Spanish) to hear the Interpreter translate into that language. Press the globe icon  and then choose the desired language. A recording of the public comment hearing will be posted to the [Department’s YouTube channel](#) after the hearing.

**Tuesday, March 29, 2022:** If you intend to comment on Zoom during the public comment hearing, please sign up by email with [geneen.bartley@mass.gov](mailto:geneen.bartley@mass.gov) with your name, email address, and mailing address by **March 29**. If you anticipate commenting by telephone, please leave a voicemail message at (617) 305-3529 with your name, telephone number, and mailing address by this date. Additional comments may be allowed during the public comment hearing at the discretion of the Presiding Officer.

**Tuesday, April 19, 2022:** (1) Individuals or organizations seeking to participate in the proceeding as an intervenor or limited participant must file a petition with the EFSB, following the instructions described below; and (2) Persons wishing to submit written comments should submit comments with the EFSB by **April 19**. Your written comments help inform the Siting Board about public concerns regarding the Certificate request and important issues for review in the proceeding.

Intervenors or limited participants in the initial proceeding or the project change proceeding, are automatically granted the same status in this proceeding without need of a new petition. Petitions to intervene or participate must satisfy the timing and substantive requirements of 980 CMR 1.05, 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>. Petitions to Intervene or Participate and written comments must be filed with: (1) the Siting Board in electronic format, by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov); and [donna.sharkey@mass.gov](mailto:donna.sharkey@mass.gov); and (2) Eversource's counsel at [drosen@keeganwerlin.com](mailto:drosen@keeganwerlin.com) and [ckeuthen@keeganwerlin.com](mailto:ckeuthen@keeganwerlin.com). The text of the e-mail must specify: (1) the docket number of the proceeding (EFSB 22-01); (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, telephone number, and e-mail address of a person to contact in the event of questions about the filing.

**Tuesday, May 17, 2022:** The Siting Board will conduct an initial remote adjudicatory hearing to review Eversource's Initial Petition and Application, beginning at 10:00 am, using Zoom videoconferencing. Details on viewing or participating in that hearing will be posted on the EFSB's information webpage prior to the hearing.

### **Severe Weather Notification**

If there is severe weather, any postponement will be announced on the Zoom link <https://us06web.zoom.us/j/82397324201> and on the EFSB's informational webpage for the proceeding stated above. In the case of severe weather on **Wednesday, March 30, 2022**, the Siting Board will conduct the public comment hearing on **Thursday, March 31, 2022, at 6:00 p.m.**

### **Siting Board Jurisdiction**

In this adjudication, the Siting Board will review Eversource's Initial Petition and Application, which were filed together on February 16, 2022. On February 23, 2022, the Chair of the Siting Board issued a Determination providing that the Siting Board would: (1) accept Eversource's Initial Petition for a Certificate; (2) consolidate Eversource's Initial Petition with its Application; (3) defer a decision on the merits of the Initial Petition; and (4) adjudicate Eversource's Initial Petition and Application concurrently.

### **Permits Sought by Eversource**

According to Eversource, the exercise of the Siting Board's Certificate authority is needed to construct and operate the Project as previously approved by the Siting Board. Eversource asserts that the processing and granting of several City of Boston permits and approvals have been unduly delayed and/or unreasonably conditioned. The Company's Application seeks the following approvals and permits required for the Project in the form of a Siting Board-issued Certificate.

1. An approval for buildings and structures that are constructed or altered within 100 feet of a park or parkway pursuant to Boston Municipal Code Section 7-4.11, ordinarily issued by the City of Boston Parks and Recreation Commission (the “Boston Parks and Recreation Approval”);
2. An approval of a Condor Street pedestrian easement, ordinarily issued by the City of Boston Public Improvement Commission (collectively, with the approvals listed as 3 and 4 below, the “Boston PIC Approvals”);
3. An approval of grants of location for new duct banks, conduit and manholes in a public way (Condor Street, East Eagle Street, Glendon Street, Lexington Street, Shelby Street, and Chelsea Street), ordinarily issued by the City of Boston Public Improvement Commission;
4. An approval of a specific repair plan for Condor Street, ordinarily issued by the City of Boston Public Improvement Commission;
5. An approval of a G.L. c. 91 Waterways License, ordinarily issued by the Massachusetts Department of Environmental Protection, pursuant to G.L. c. 91 and its implementing regulations at 310 C.M.R. § 9.00;
6. An approval of a Final Order of Conditions under the Wetlands Protection Act, G.L. c. 131, § 40 and 310 C.M.R. § 10.00, ordinarily issued by the Massachusetts Department of Environmental Protection;
7. An approval of a Final Order of Conditions under the Boston Wetlands Ordinance, ordinarily issued by the City of Boston Conservation Commission;
8. An approval of a Foundation and Building Permits, ordinarily issued by the City of Boston Inspectional Services Department;
9. An approval of a Street Excavation Permits (Condor Street, East Eagle Street, Glendon Street, Lexington Street, Shelby Street, Saratoga Street and Chelsea Street), ordinarily issued by the City of Boston Department of Public Works;
10. An approval of a Street/Manhole Occupancy Permits (Condor Street, East Eagle Street, Glendon Street, Lexington Street, Shelby Street, and Chelsea Street), ordinarily issued by the City of Boston Department of Public Works;
11. An approval of a Sidewalk Occupancy Permit (Condor Street), ordinarily issued by the City of Boston Department of Public Works;
12. An approval of a Construction Stormwater Permit, ordinarily issued by the City of Boston Water & Sewer Commission;

13. An approval of a Construction Dewatering Discharge Permit, ordinarily issued by the City of Boston Water & Sewer Commission;
14. An approval of a General Services Application, ordinarily issued by the City of Boston Water & Sewer Commission and;
15. An approval of a Street Occupancy Permit (Willow Street), ordinarily issued by the City of Chelsea Department of Public Works.

### **Eversource Initial Petition and Application**

According to Eversource, the exercise of the Siting Board's Certificate authority is needed to construct and operate the Project as approved by the Siting Board. Eversource asserts that, the processing and granting of the City of Boston Parks and Recreation Approval and the City of Boston PIC Approvals have been unduly delayed and unreasonably conditioned. As of the date of this Notice, Eversource has not yet obtained in final and non-appealable form the requisite 15 permits and approvals listed above. Consequently, Eversource has requested that, pursuant to G.L. c. 164, §§ 69K-69O, the Siting Board issue the Certificate in the form of a composite of all permits, approvals and authorizations that would otherwise be necessary for the construction of the Substation and the operation of the Project in Boston and Chelsea. Eversource does not request that the Certificate include final, non-appealable permits, approvals, or authorizations that have been previously issued.

During the course of this proceeding, the Siting Board will determine whether the Company is prevented from constructing the Project because: (1) the processing or granting of the City of Boston Parks and Recreation Approval or the City of Boston PIC Approvals has been unduly delayed by the City of Boston Parks and Recreation Commission or the City of Boston PIC, respectively; or (2) the City of Boston Parks and Recreation Commission or the City of Boston PIC has imposed a burdensome condition or limitation that has a substantial impact on the Siting Board's responsibilities as set forth in G.L. c. 164, § 69H. See G.L. c. 164, § 69K.

The Siting Board will also make findings, as required by G.L. c. 164, § 69O, with respect to: (1) the need for the facility to meet the energy requirements of the applicant's market area taking into account wholesale bulk power or gas sales or purchases or other co-operative arrangements with other utilities and energy policies as adopted by the Commonwealth; (2) the compatibility of the facility with considerations of environmental protection, public health, and public safety; (3) the extent to which construction and operation of the facility will fail to conform with existing state and local laws, ordinances, by-laws, rules, and regulations and reasonableness of exemption thereunder, if any, consistent with the implementation of the energy policies contained in G.L. c. 164 to provide a necessary energy supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost; and (4) the public interest, convenience and necessity requiring construction and operation of the facility. See G.L. c. 164, § 69O.

## **Access to Eversource's Initial Petition and Application**

The documents for this proceeding may be accessed for public inspection in electronic format at the following locations:

- The Siting Board's website at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber/EF5B22-01> (filings under "Document Type: Initial Filing").
- Eversource's website at: [www.eversource.com/east-eagle-reliability](http://www.eversource.com/east-eagle-reliability)

Physical copies of the Initial Petition and Application may also be inspected at the following locations:

- Energy Facilities Siting Board, One South Station, Boston, MA, 02110
- Boston City Clerk's Office, Boston City Hall, One City Hall Square, Boston, MA, 02201
- East Boston Public Library, 365 Bremen Street, East Boston, MA, 02128
- Chelsea City Clerk's Office, Chelsea City Hall, 500 Broadway, Chelsea, MA, 02150
- Chelsea Public Library, 569 Broadway, Chelsea, MA, 02150

To request materials in accessible formats (Braille, large print or audio format) contact the ADA coordinator at [melixza.esenyie2@mass.gov](mailto:melixza.esenyie2@mass.gov).

## **Accommodation Requests**

Reasonable accommodations for people with disabilities are available upon request. Include a complete description of the accommodation you will need and a way we can contact you if we need more information. Please provide as much advance notice as possible. Please note that it may not be possible to accommodate last minute requests. You may contact the ADA coordinator at [melixza.esenyie2@mass.gov](mailto:melixza.esenyie2@mass.gov).

Interpretation services for those with limited English language proficiency are available upon request. Include in your request the language required, and a way to contact you if the Presiding Officer needs more information. Please provide as much advance notice as possible, no later than March 23. Last minute requests may not be able to be accommodated. Contact the Presiding Officer (contact information below).

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## **Contact**

Any person desiring additional information regarding the Notice, including information regarding intervention or participation in the proceeding, should contact the Siting Board through the Presiding Officer at the following email address:

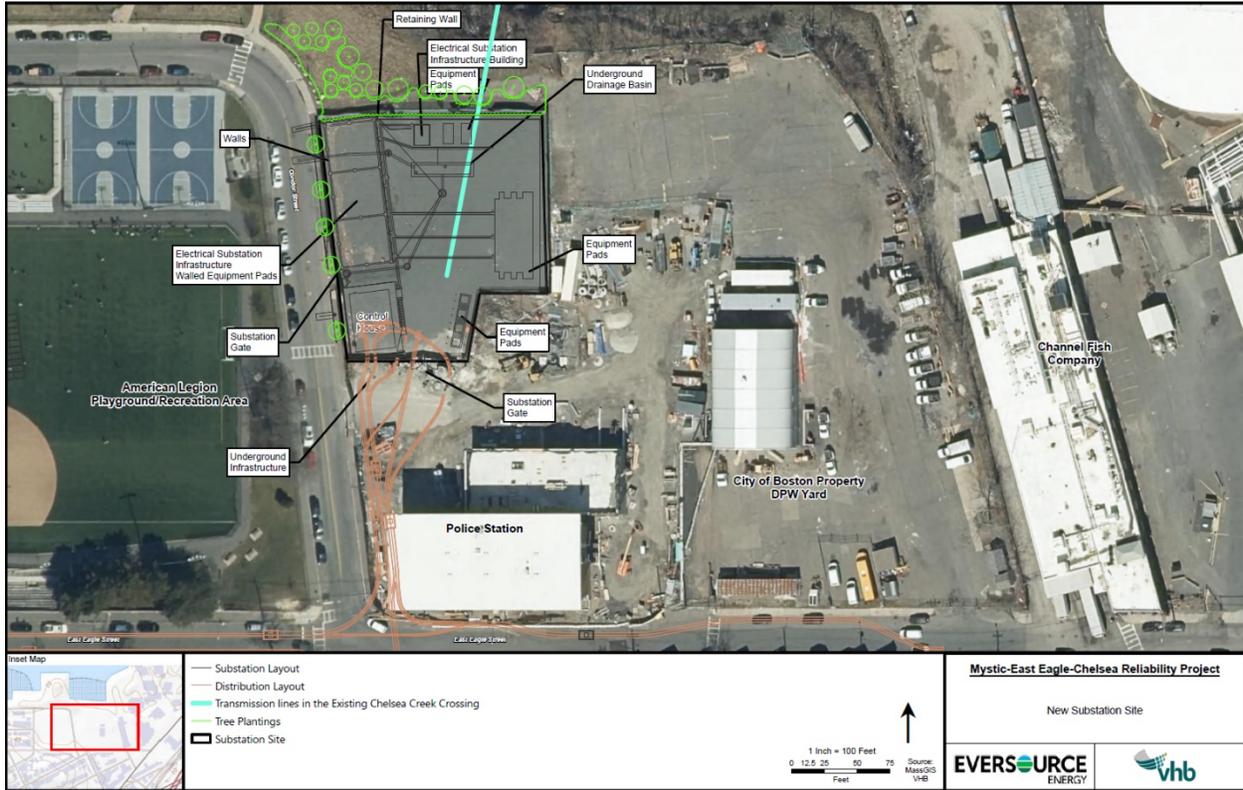
Donna Sharkey, Presiding Officer  
Energy Facilities Siting Board  
One South Station  
Boston, Massachusetts 02110  
617 305-3625 (voicemail)  
[donna.sharkey@mass.gov](mailto:donna.sharkey@mass.gov)

## **Description of the Project**

The Substation will include two bays of 115 kilovolt (“kV”) gas-insulated switchgear with six 115 kV circuit breakers; a control enclosure; two 62.5 megavolt-ampere (“MVA”), 115/14 kV transformers; distribution switchgear; and capacitor banks. Construction activities will include the installation of footings, foundations, an underground electric raceway, grounding, lighting, combinations of concrete wall and fiberglass fencing, miscellaneous associated protective relaying, metering, control wiring, and related equipment, and isolation/fire barriers and oil spill containment systems for each of the transformers. See Eversource 2017 and Eversource 2021 for further details.

In addition to the Substation, the Project includes the connection to the two 115- kV transmission lines that were approved by the Siting Board in Eversource 2017: (1) an approximately 3.2-mile line from the Company’s Mystic Substation in Everett to the Substation; and (2) an approximately 1.5-mile line from the Substation to the Company’s Chelsea Substation in Chelsea. Currently, the two lines have been constructed on the Chelsea side of the Chelsea Creek and were placed in operation on September 17, 2020, connecting the Company’s Mystic and Chelsea Substations. Once the Substation is operational, the Company would install the two lines beneath the Chelsea Creek in an existing conduit and interconnect with the Substation, as anticipated in both Eversource 2017 and Eversource 2021, thereby bringing transmission capability to East Boston. The Company would also install 7,000 feet (1.3 miles) of new distribution line duct banks and 17 manholes under Condor Street, East Eagle Street, Glendon Street, Lexington Street, Shelby Street and Chelsea Street, for a new 3.6-mile distribution network connected to the Substation.

**Figure 1: Substation Site Overview.**



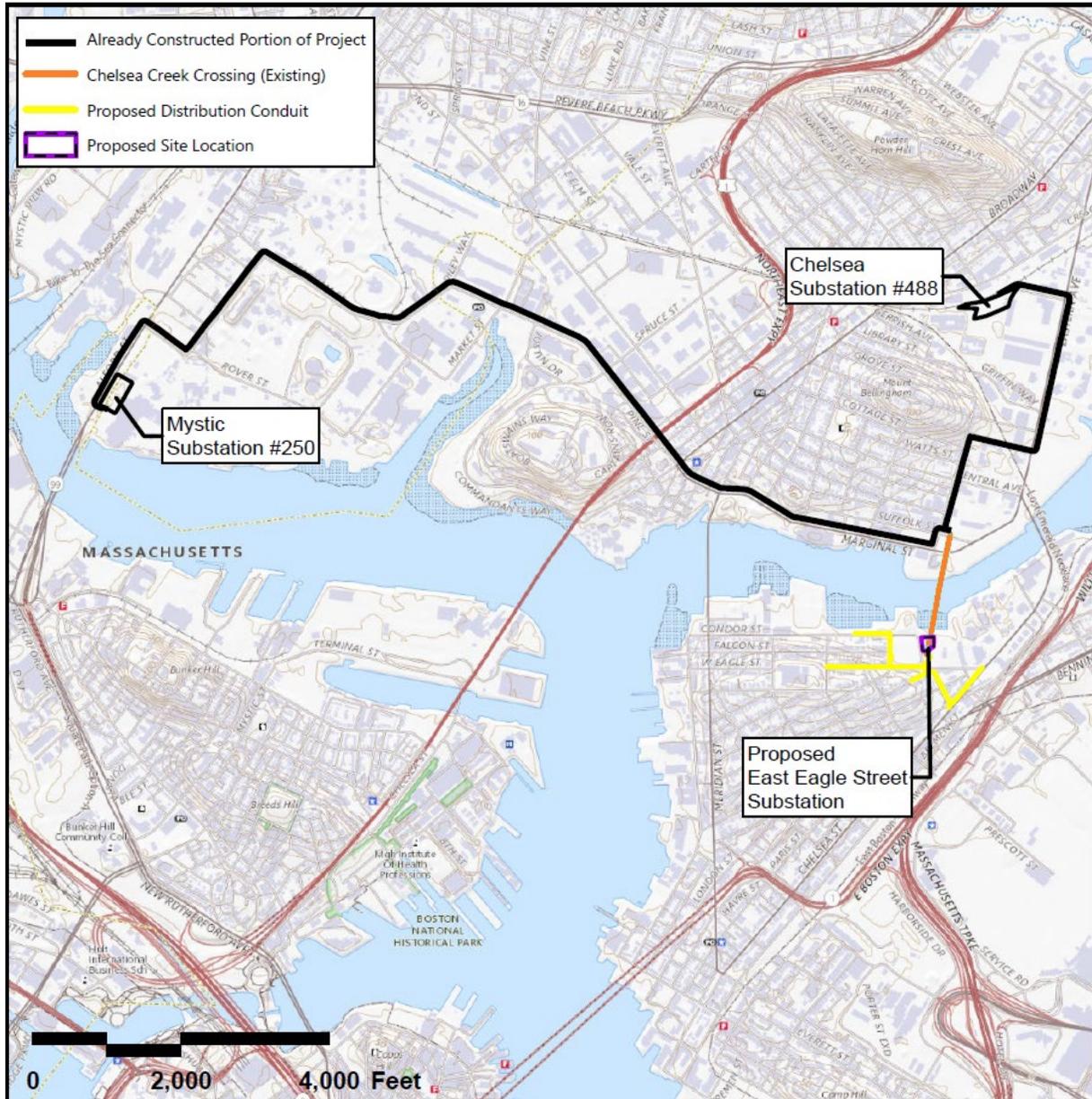
A larger version of this figure is available at the following link: <https://www.mass.gov/doc/east-eagle-update-substation-map/download>.

**Figure 2: Potential Substation Facade Design Proposed for Community Input**



**Note:** This is a preliminary design concept only. The final design will be chosen by the Company in collaboration with the community and the Boston Planning & Development Agency and may vary.

**Figure 3: Project Overview Map.**



A larger version of this figure is available at the following link: <https://www.mass.gov/doc/east-eagle-locus-map/download>.