



Northeast Hearth, Patio, and Barbecue Association

PO Box 28, Sudbury, MA 01776 . 978-440-0344 . nehpba.org

February 7, 2023

Patrick Woodcock
Commissioner
Department of Energy Resources
100 Cambridge St #1020
Boston, MA 02114

RE: Ten Community Demonstration Project

Dear Commissioner Woodcock,

My name is Karen Arpino, and I am writing on behalf of The Northeast Hearth, Patio & Barbecue Association. The Northeast Hearth, Patio & Barbecue Association (NEHPBA) is a trade association representing more than 300 individual member hearth and fireplace retail and related companies throughout the Northeast, with over 60 members located in Massachusetts. The vast majority of our members are independent “mom and pop” small businesses that play a large role in the communities and markets they serve across the Northeast.

The passage of landmark climate legislation last year, Chapter 179, established a demonstration project which permits up to ten municipalities to restrict or prohibit the use of fossil fuels in most construction and major renovation projects. The NEHPBA is grateful to the Legislature for acknowledging our concerns that a fossil fuel-free demonstration program, without appropriate restrictions and guidelines, would hamper the Commonwealth’s job creation prospects and overall economic competitiveness while increasing housing costs.

To that end, we were encouraged that the Legislature wrote into law thoughtful and meaningful guardrails, benchmarks and data requirements around the operation of any such project. In particular, we were pleased that the will of the Legislature was very clear with respect to reporting requirements around housing affordability and production, utility costs and emission impacts, with Section 84(e) stating that “The department shall collect data from cities and towns approved under this section to monitor impacts on ... emissions, building costs, operating costs, the number of building permits issued and other criteria as set by the department ... and the secretary of housing and economic development.”

Consistent with this approach, NEHPBA encourages you to be explicit in requiring that communities seeking to participate in the project clearly demonstrate to the Department the plans, methods, strategies, and forms they will use to satisfy these compliance reporting requirements relative to emission impacts, building and operating costs, and housing affordability. In light of the Commonwealth’s continued housing shortfall—as well as the pace



Northeast Hearth, Patio, and Barbecue Association

PO Box 28, Sudbury, MA 01776 . 978-440-0344 . nehpba.org

at which electricity costs continue to rise in New England—we urge you to ensure that any community unable to provide such plans, proof, and forms to the Department’s satisfaction be ruled ineligible to participate in the demonstration project.

We also urge the Department to ensure communities applying to participate in the demonstration project certify with their electric provider that the provider can adequately supply the municipality with the electrical power that will be needed in the absence of natural gas for heating and cooking. We are concerned that electrical distribution infrastructure in some of the communities that are considering participation in this demonstration project may not be able to adequately support the commensurate load demand increases that this program will realize, effectively leaving no recourse to new home and commercial builders. Any such inadequacy should be understood in advance and remedied before any community is considered eligible.

Specifically, the Department should also be aware that builders and contractors are currently experiencing substantial delays in receiving the transformers that are needed to distribute electricity to new subdivision and large building projects. Supply chain disruptions are causing transformer delays of up to 18 months which results in electric distribution companies needing to similarly delay new power connections.

Finally, it is possible that some communities electing to participate in this program may ultimately decide to exit the demonstration project. NEHPBA believes it is important for the Department to develop a community exit methodology so that participating communities understand not only what is required to enter the demonstration project but, should any wish to terminate their participation, what is required for homes and businesses to exit the pilot and then connect to natural gas service.

There are real world construction and economic development implications in the Commonwealth should we fail to get the implementation of this demonstration project right. Already, as communities have contemplated such bans, our members have shared with us concerns ranging from the reliability of police and fire emergency services (many of which currently rely on fossil fuel generator backups), to year-plus wait times for essential electric distribution apparatus such as transformers, as well as the **numerous canceled orders** by builders that our member small businesses are experiencing as builders try to meet the heating needs of new home subdivisions and multifamily apartment construction.

Collectively, while we have made progress toward a clean energy future, much work remains. With so much at stake, it is essential that policymakers understand the implications of this demonstration project and what it means for not only these ten municipalities but every community in the Commonwealth.



Hearth, Patio & Barbecue Association Affiliate



Northeast Hearth, Patio, and Barbecue Association

PO Box 28, Sudbury, MA 01776 • 978-440-0344 • nehpba.org

Thank you for your consideration of our comments. Please do not hesitate to contact me at (978) 440-0344 or via email at Karen@NEHPBA.org with any questions.

Sincerely,

Karen Arpino
Executive Director
Northeast HPBA

cc:

Governor Maura Healey
Attorney General Andrea Campbell
Climate Chief Melissa Hoffer
Representative Jeffrey Roy
Senator Michael Barrett



Hearth, Patio & Barbeque Association Affiliate