

**SUPREME JUDICIAL COURT  
FOR SUFFOLK COUNTY**

No. SJ-2020-0026

**No. SJ-2020-0029**

## RESERVATION AND REPORT

The parties have filed a joint motion to reserve and report these consolidated cases to the full court pursuant to G.L. c. 211, § 6 and G.L. c. 231, § 112 for decision in a single appellate proceeding. I allow the

motion to reserve and report and will consolidate the appeals on the following record:

1. The final decision of the Energy Facilities Siting Board (the "Siting Board") in EFSB 17-02/D.P.U. 17-82/17-83, dated December 18, 2019;
2. The Petition for Appeal filed by the Town of Sudbury with the Supreme Judicial Court for Suffolk County on January 17, 2020, docketed as SJ-2020-0026;
3. The Petition for Appeal filed by Protect Sudbury, Inc. with the Supreme Judicial Court for Suffolk County on January 17, 2020, docketed as SJ-2020-0029;
4. The motions to intervene of Eversource filed in dockets SJ-2020-0026 and SJ-2020-0029 on January 27, 2020, as granted by a Single Justice of the Supreme Judicial Court for Suffolk County on March 4, 2020;
5. The July 30, 2020 joint motion of the parties to this proceeding to consolidate the two appeals docketed as SJ-2020-0026 and SJ-2020-0029 and to impound certain confidential materials, as granted by a Single Justice of the Supreme Judicial Court for Suffolk County on August 4, 2020;

accordance with Mass. R. App. P. 18. Each of the parties may also file a Supplemental Appendix, based on arguments in the Appellants' or Appellees' initial briefs, if necessary.

The parties may cite in their briefs official decisions, orders, and rulings of the Siting Board as well as official decisions, orders, and rulings of other state and federal regulatory bodies. Copies of any such administrative decisions, orders, and rulings cited in a party's brief that have not been printed in the Public Utility Reports or in a published reporter of general reference and that are not available online shall be included in the Addendum to that party's brief, unless another party has already provided that decision, order, or ruling in its previously filed brief.

The consolidated appeals shall be docketed with the Supreme Judicial Court for the Commonwealth forthwith, and thereafter the briefing schedule shall follow Mass. R. App. P. 19, unless otherwise approved by the Court.

BY THE COURT:

/s/ Elspeth B. Cypher  
Associate Justice

Dated: August 18, 2020