



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

MEMORANDUM

TO: Energy Efficiency Program Administrators - 2019-2021 Three-Year Energy Efficiency Plans

FROM: Jeffrey Leupold, Sarah Smegal, Krista Hawley, and Jessica Ellis Hearing Officers

RE: Procedural Memorandum - 2019-2021 Three-Year Energy Efficiency Plans

DATE: October 3, 2018

CC: Mark D. Marini, Secretary
Energy Efficiency Email Distribution List

I. INTRODUCTION

General Laws c. 25, § 21(d)(1) requires the Massachusetts energy efficiency program administrators ("Program Administrators") to file with the Department of Public Utilities ("Department") their respective Three-Year Energy Efficiency Plans for the 2019-2021 term ("Plans") on or before October 31, 2018. Within 90 days after the filing, the Department must issue a decision on the Plans. G.L. c. 25, § 21(d)(2). To accommodate the 90-day review period, the Department established a filing template, a model procedural schedule, and procedures for the review of the Plans. Investigation by the Department of Public Utilities on its own Motion into Updating its Energy Efficiency Guidelines Consistent with An Act Relative to Green Communities, D.P.U. 08-50-B (2009); Energy Efficiency Guidelines, D.P.U. 11-120-A Phase II (2013) ("Guidelines").

Based on its experience in reviewing prior three-year energy efficiency plan filings, the Department has identified additional information that the Program Administrators must include in their respective Plan filings. The additional filing requirements are set forth below. In addition, this memorandum provides filing procedures, assigns docket numbers, and sets forth the initial schedule for the investigation of these filings.

II. ADDITIONAL FILING REQUIREMENTS

In addition to all materials included in the Plan filing template,¹ each Program Administrator shall provide the following information with its Plan filing:

1. Provide pre-filed testimony describing the development and determination of the proposed statewide and Program Administrator-specific savings goals, including for each customer sector. Explain how technical potential studies and other sources were used in this regard. Provide copies of all technical potential studies and other sources that were used.
2. Provide pre-filed testimony describing how the Program Administrator intends to address the following:
 - a. participation barriers and achievement of deeper participant savings for renters in the residential energy efficiency core initiatives and programs;
 - b. participation barriers and achievement of deeper participant savings in hard-to-reach/underserved communities in the residential and low-income energy efficiency core initiatives and programs;
 - c. participation barriers and achievement of deeper participant savings in C&I energy efficiency program channels (e.g., municipal, healthcare, real estate, education, non-profit, hospitality, and small and mid-sized C&I);
 - d. saturation between new and repeat participants in core initiatives;
 - e. historical close rates and how each Program Administrator developed its current assumptions for its planned close rates; and
 - f. programs or core initiatives related to demand response including, but not limited to, winter electric or gas demand response offerings.

¹ Program Administrators shall continue to provide D.P.U. 08-50 tables and information at the core initiative level. However, Program Administrators are not required to file statewide comparison tables or related information as required by Guidelines §§ 3.2.1.7, 3.2.2.4, 3.3.5, 3.3.7, or 3.4.4.3.

3. Provide pre-filed testimony describing how the Program Administrator intends to engage outside organizations (e.g., municipalities, municipal energy advocates, community organizations, etc.) to enhance program delivery during the 2019-2021 term.
4. Provide pre-filed testimony describing how each Program Administrator is incorporating strategic electrification into its Plan or how each Program Administrator intends to incorporate strategic electrification going forward.
5. Provide pre-filed testimony identifying and describing new technologies and initiatives that the Program Administrator has included in its Plan. Explain how the Program Administrator evaluated new technologies and initiatives to determine cost-effectiveness and savings potential.
6. Provide pre-filed testimony describing all new non-energy impacts that the Program Administrators anticipate studying during the 2019-2021 term.
7. Provide pre-filed testimony describing all new or additional benefits that were captured in the most recent Avoided Energy Supply Cost Study and how each Program Administrator has incorporated these benefits in its Plan. If the Program Administrator has not incorporated these benefits, explain why not.
8. Provide pre-filed testimony identifying all competitively procured contracts that the Program Administrator has already executed for services to be provided during the 2019-2021 term. For each contract, identify: (a) the contract term; (b) whether there is an option to extend the term; and (c) the conditions for renewal. For each Program Administrator, provide the percentage and total dollar amount of competitively procured services that have already been procured for the 2019-2021 term.
9. (Electric only) Provide pre-filed testimony describing the process by which the Program Administrator develops bids for the forward capacity market administered by ISO New England, Inc. including a discussion of how energy storage technologies will be incorporated into such bids.
10. To facilitate the publication of the notice, provide the following Program Administrator specific information in the cover letter to the filing, including a citation to where the underlying support for such information appears in the filing:
 - a. proposed total budget for the three-year term and annual budget for 2019, 2020, and 2021; and

b. summary bill impacts in the following format:

- A residential customer ([insert applicable rate class]) using [insert applicable quantity and units] per month could experience a monthly bill increase/decrease of \$X.XX or X.X percent in 2019; a monthly bill increase/decrease of \$X.XX or X.X percent in 2020; and a monthly bill increase/decrease of \$X.XX or X.X percent in 2021.
- A low-income customer ([insert applicable rate class]) using [insert applicable quantity and units] per month could experience a monthly bill increase/decrease of \$X.XX or X.X percent in 2019; a monthly bill increase/decrease of \$X.XX or X.X percent in 2020; and a monthly bill increase/decrease of \$X.XX or X.X percent in 2021.

III. FILING PROCEDURES

Each Program Administrator shall file its Plan in the following manner:

1. The original of each individual Plan and common Statewide Plan (including bulk appendixes and exhibits) should be delivered to the Department's Secretary, Mark D. Marini.
2. Electronic copies of each individual Plan and common Statewide Plan should be directed to the Department's e-filing address DPU.efiling@mass.gov.
3. Electronic copies (email and CD/USB drive) of each Program Administrator-specific Plan should be directed to the Hearing Officers as identified in § IV, below. In addition, an electronic copy (email and CD/USB drive) of the common Statewide Plan should be directed to each Hearing Officer identified in § IV, below. For CD/USB drive copies, each Program Administrator must file one (or more if necessary) clearly identified CD/USB drive containing the common Statewide Plan filing material and one (or more if necessary) clearly identified CD/USB drive containing the Program Administrator-specific filing materials.
4. Paper copies of the Plans should be delivered to Jeffrey Leupold, as follows:

- five copies total (not per Program Administrator) of the common Statewide Plan, excluding common bulk exhibits;
- one copy total (not per Program Administrator) of each common bulk appendix; and
- two copies per Program Administrator of all other Program Administrator-specific Plan components.

All copies must be in three-ring loose leaf binders with each binder clearly identified as to content and, where appropriate, docket number and Program Administrator.

6. Prior to filing its Plan with the Department, a Program Administrator shall notify all the individuals/entities included on the attached email distribution list, which includes Energy Efficiency Advisory Council (“Council”) members and intervenors and limited participants in the 2016-2018 energy efficiency plan proceedings (i.e., D.P.U. 15-160 through D.P.U. 15-169), of the upcoming filing and direct these individuals/entities to contact the Program Administrator if they want to receive an electronic copy of the Plan. The Program Administrator shall, upon such request, promptly provide such electronic copy.
7. On the date its Plan is filed with the Department, a Program Administrator must provide a copy of its Plan to each member of the Council unless the Council member agrees in advance to an electronic copy.
8. Program Administrators must include all formulas, linkages and pivot tables in the D.P.U. 08-50 tables. Where the inclusion of a particular item is overly burdensome or impractical, active cells should include a note or comment explaining how the value was calculated, with references to applicable page(s) in the Technical Reference Manual/Library.
9. All documents must be searchable. Program Administrators must file each exhibit as a separate PDF file. In addition, the entire set of exhibits should be submitted as single PDF file (or, where too large, as few separate PDF files as possible). In each instance, the electronic file name should identify the document but should not exceed 50 characters in length.

IV. PRE-ASSIGNED DOCKET NUMBERS

The Department has pre-assigned docket numbers to the Plans as follows:

Gas Program Administrators:

- D.P.U. 18-110 - Bay State Gas Company, d/b/a Columbia Gas of Massachusetts
(Krista Hawley, krista.hawley@mass.gov)
- D.P.U. 18-111 - The Berkshire Gas Company
(Krista Hawley, krista.hawley@mass.gov)
- D.P.U. 18-112 - Fitchburg Gas and Electric Light Company, d/b/a Unitil (Gas)
(Jeffrey Leupold, jeffrey.leupold@mass.gov)
- D.P.U. 18-113 - Liberty Utilities (New England Natural Gas Company) Corp., d/b/a Liberty Utilities
(Jeffrey Leupold, jeffrey.leupold@mass.gov)
- D.P.U. 18-114 - Boston Gas Company and Colonial Gas Company, each d/b/a National Grid
(Sarah Smegal, sarah.smegal@mass.gov)
- D.P.U. 18-115 - NSTAR Gas Company, d/b/a Eversource Energy
(Jessica Ellis, jessica.ellis@mass.gov)

Electric Program Administrators:

- D.P.U. 18-116 - Cape Light Compact JPE
(Sarah Smegal, sarah.smegal@mass.gov)
- D.P.U. 18-117 - Fitchburg Gas and Electric Light Company, d/b/a Unitil (Electric)
(Jeffrey Leupold, jeffrey.leupold@mass.gov)
- D.P.U. 18-118 - Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid
(Sarah Smegal, sarah.smegal@mass.gov)
- D.P.U. 18-119 - NSTAR Electric Company d/b/a Eversource Energy
(Jessica Ellis, jessica.ellis@mass.gov)

V. PROCEDURAL SCHEDULES

Pursuant to 220 CMR 1.06(6)(b)(1) the Department will establish schedules for the investigation of the Plan proceedings.² Before the establishment of final schedules and

² To enable review the Plans in the context of the 90-day period provided by G.L. c. 25, § 21(d)(2), the Department has established two procedural tracks. Guidelines § 3.7.2. In order to better describe the parties subject to each track, the Department

consistent with the model procedural schedule in Guidelines § 3.7.3 and Guidelines § 3.7.1, the following dates shall be observed:

Plans filed with the Department	October 31, 2018
Petitions to intervene (General Track) due	November 1, 2018
Discovery (General Track) commences ³	November 1, 2018
Answers to (General Track) petitions to intervene due	November 5, 2018
Pre-hearing statements (General Track) due	November 7, 2018

will refer to them as “General Track” (previously Council track) and “Alternate Track” (previously “Non-Council Track”).

A General Track participant is a participant in the Council process or an entity whose interests are represented on the Council, pursuant to G.L. c. 25, § 22(a). General Track participants are presumed to be familiar with the content of a Plan and the issues that they may likely seek to address during the course of the adjudicatory process. A General Track participant will be treated as a putative intervenor until the Department has issued rulings on intervention. D.P.U. 08-50-B at 26-33; Guidelines § 3.7.2. To the extent they seek to intervene in the Plan proceedings, the following persons/entities shall file their petitions to intervene on the General Track schedule: (1) voting and non-voting members of the Council; (2) any entity whose interests are represented on the Council; (3) any person/entity that has participated in the Council process; and (4) any person/entity that was previously granted intervention as a full party or limited participant in a three-year energy efficiency plan proceeding.

If there are any entities who are permitted to intervene as full parties pursuant to G.L. c. 30A § 10, but who otherwise did not participate in or whose interests were not represented in the Council process, a reasonable opportunity will be provided for such parties to formulate their respective positions on the Plans in the context of the limited period of time afforded the Department pursuant to G.L. c. 25, § 21(d)(2) to review the Plans. D.P.U. 08-50-B at 32 n.16; Guidelines § 3.7.2.

³ Responses to information requests are due within five (5) business days of receipt of the request, unless otherwise indicated. Where the computed response date is a Saturday, Sunday, or legal holiday, the response shall be due on the next following Department business day.

Petitions to intervene (Alternate Track) due	November 14, 2018
Intervenor testimony (General Track) due	November 16, 2018
Answers to (Alternate Track) petitions to intervene due	November 16, 2018
Discovery (Alternate Track) commences	Upon Department ruling on petition to intervene
Pre-hearing statement and intervenor testimony (Alternate Track) due	November 23, 2018
Public Hearing	December 3, 2018
Evidentiary Hearings	December 10-13, 17, 2018
Briefs	To Be Determined

VI. PRELIMINARY DISTRIBUTION LIST

Elliott Jacobson, EEAC, elj@actioninc.org
Amanda Helwig, CLF, mhelwig@clf.org
Amy Boyd, EEAC, aboyd@acadiacenter.org
Eric Beaton, EEAC, eric.beaton@mass.gov
Donald Boecke, EEAC, Donald.Boecke@MassMail.State.MA.US
Caitlin Peale Sloan, CLF, cpeale@clf.org
Cindy Arcate, EEAC, carcate@poweroptions.org
Danielle Winter, Keegan Werlin, dwinter@keeganwerlin.com
Rebecca Davis, EEAC, RDavis@mapc.org
Deirdre Manning, EEAC, dmanning@smith.edu
Emmett Lyne, Rich May, Elyne@richmaylaw.com
Rachel Evans, DOER, Rachel.Evans@state.ma.us
Mike Ferrante, EEAC, mferrante@massoilheat.org
Jack Habib, Keegan Werlin, jhabib@keeganwerlin.com
James M. Avery, Pierce Atwood, javery@PierceAtwood.com
Jeffrey Bernstein, BCK Law, jbernstein@bck.com
Jeffrey Graeber, GDC Law, jgraeber@GDC-Law.com
Jerrold Oppenheim, LEAN, JerroldOpp@DemocracyAndRegulation.com
Jesse Reyes, Brown Rudnick, JReyes@brownrudnick.com
Jo Ann Bodemer, BCK Law, jbodemer@bck.com

Jodi Hanover, Rich May, JHanover@richmaylaw.com
Judith Judson, DOER - EEAC, judith.judson@mass.gov
Andrea Keeffe, National Grid, Andrea.Keeffe@nationalgrid.com
Mary Wambui, EEAC, mwambui@dbedc.org
Justin Davidson, EEAC, jdavidson@marealtor.com
Paul Afonso, Brown Rudnick, pafonso@brownrudnick.com
Paul Johnson, EEAC, pjjohnson@comcast.net
Paul Gromer, EEAC, pgromer@peregrinegroup.com
Richard Juang, ACE, rmjuang@ace-ej.org
Richard Malmstrom, EEAC, richarda_malmstrom@dfci.harvard.edu
Robert Ruddock, Lock Lord, Robert.ruddock@lockelord.com
Robert Rio, EEAC, Rrio@aimnet.org
Victoria Rojo, EEAC, VRojo@iso-ne.com
Sharon Weber, EEAC, Sharon.Weber@MassMail.State.MA.US