



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 22-55

May 25, 2022

Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of the Company's Cape Cod capital investment project proposal under the Provisional Program established by the Department in Provisional System Planning Program, D.P.U. 20-75-B (2021).

On April 29, 2022, NSTAR Electric Company d/b/a Eversource Energy ("Eversource" or "Company") submitted to the Department of Public Utilities ("Department") for review and approval of a capital investment project ("CIP") proposal. The Department docketed this matter as D.P.U. 22-55.

Currently, if a distributed generation ("DG") facility, such as a solar facility, requires an electric distribution company ("EDC") (e.g., Eversource) to upgrade the electric power system ("EPS") for the DG facility to interconnect with the EPS, the DG facility is responsible for the full cost of that upgrade. In Provisional System Planning Program, D.P.U. 20-75-B (2021), the Department established a new, provisional framework for planning and funding these upgrades to the EPS through an alternative method ("Provisional Program"). Under the Provisional Program, the costs of the EPS upgrade (the CIP) would be shared by the interconnecting DG facilities and all ratepayers of the EDC. While ratepayers will initially pay the costs of the CIP through a charge on their electric bills, each DG facility that is able to interconnect due to the upgrade to the EPS will pay a pro rata share of the costs of the CIP. Costs collected from those DG facilities will be returned to ratepayers through a credit on their electric bill through a reconciliation mechanism. D.P.U. 20-75-B at n.36. The requirements for the Provisional Program, including cost allocation, are discussed in the Department's Order establishing the program, D.P.U. 20-75-B. The Provisional Program is intended to foster timely and cost-effective development and interconnection of DG facilities.

Here, Eversource's CIP proposal is designed to make EPS modifications to allow DG facilities to interconnect in and around Vineyard Haven, West Tisbury, Chilmark, Aquinnah, Oak Bluffs, Edgartown, Woods Hole, Brewster, Chatham, North Chatham, South Chatham, West Chatham, Dennis, East Dennis, South Dennis, West Dennis, Dennis Port, West Falmouth, North Falmouth, East Falmouth, Falmouth, Harwich, West Harwich, South Harwich, Harwich Port, Hyannis, Hyannis Port, West Hyannisport, Sandwich, East

Sandwich, Barnstable, West Barnstable, Cataumet, Pocasset, Silver Beach, Mashpee, Centerville, Cummaquid, South Yarmouth, West Yarmouth, Yarmouth Port, Buzzards Bay, Monument Beach, Sagamore, Forestdale, Marstons Mills, Osterville, and Cotuit, MA. The CIP proposal includes upgrades to eight substations located in Barnstable, Falmouth, Harwich, Hyannis, Sandwich, Mashpee, and Otis, MA. The EPS upgrades and impacted area are discussed in the Cape Cod Group Study (Exh. ES-Engineering Panel-1, at 19-26). Eversource projects the total cost to complete the system modifications under its CIP proposal to be approximately \$195 million and that the CIPs will enable 295,612 kilowatts (“kW”) of DG (Exhs. ES-Engineering Panel-1, at 33, 53; ES-ANB-3, at 3). Of the total cost, Eversource proposes \$121.2 million be paid by DG facilities through a \$410/kW CIP fee and for the remainder to be borne by ratepayers (Exh. ES-Engineering Panel-1, at 53). The portion of CIP costs paid by ratepayers will increase rates. The Company estimates that average monthly bill impacts would vary across rate classes ranging between 0.1 and 0.2 percent (Exhs. ES-ANB-1, at 12-13; ES-ANB-4). A typical residential customer using on average 516 kWh per month would experience a monthly bill increase of \$0.28.

Additionally, this filing concerns infrastructure upgrades that if approved would be constructed in or near environmental justice communities. Environmental justice is a priority for the Department, and it will be an integral consideration throughout our investigation. We encourage any interested stakeholder to provide comment on how this filing could affect an environmental justice community if approved.

On May 5, 2022, the Attorney General of the Commonwealth (“Attorney General”) filed a notice of intervention pursuant to G.L. c. 12, § 11E(a). The Attorney General has the right to represent and advocate on behalf of ratepayers in proceedings involving changes in EDCs’ rates, prices, or tariffs. Pursuant to G.L. c. 12, § 11E(b), the Attorney General filed a notice of retention of experts and consultants to assist in her investigation of the Company’s filing. The Attorney General has requested Department approval to spend up to \$150,000. Pursuant to G.L. c. 12, § 11E(b), the costs incurred by the Attorney General relative to her retention of experts and consultants are charged to the Company and may be recovered by the Company in its rates. These costs are collected through a charge known as the Attorney General Consultant Expenses Adjustment Factor (AGCE).

Due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic, the Department will conduct a virtual public hearing to receive comments on the Company’s filing. During the public hearing, any member of the public will be able to provide comments. The Department will hold a procedural conference following the public hearing. During the procedural conference, the Department, Eversource, the Attorney General, and any party granted the right to intervene in the proceeding may discuss procedural matters, including the schedule for the evidentiary phase of the proceeding. The Department will conduct the public hearing and procedural conference using Zoom videoconferencing on **June 23, 2022, beginning at 2:00 p.m.**

Attendees can join by entering the link, <https://us06web.zoom.us/j/85219477867>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearings, attendees can dial in at (646) 558-8656 or (646) 558-8656 (not toll free) and then enter the Webinar ID number, 852 1947 7867. If you anticipate providing comments via Zoom during the public hearing, please send an email by **June 17, 2022**, to [katie.zilgme@mass.gov](mailto:katie.zilgme@mass.gov) with your name, email address, and mailing address.

Alternatively, any person who desires to provide written comment on this matter may submit their comments to the Department no later than the close of business (5:00 p.m.) on **June 23, 2022**. To the extent a person or entity wishes to submit written comments in accordance with this Notice, electronic submission, as detailed below, is sufficient.

At this time, all filings will be submitted only in electronic format in recognition of the difficulty that parties and the Department may have filing and receiving original copies. Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)). However, until further notice, parties must retain the original paper version, and the Department will later determine when the paper version must be filed with the Department Secretary.

All written comments or other documents must be submitted to the Department in **.pdf format** by email attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and [katie.zilgme@mass.gov](mailto:katie.zilgme@mass.gov). In addition, one copy of all written comments should be emailed to the Company's attorney, John K. Habib, Esq., [jhabib@keeganwerlin.com](mailto:jhabib@keeganwerlin.com). The text of the email must specify: (1) the docket number of the proceeding (D.P.U. 22-55); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The email must also include the name, title, and telephone number of the person to contact in the event of questions about the filing. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that **do not exceed 20MB**.

Any person who desires to participate in the evidentiary phase of this proceeding shall file a petition for leave to intervene no later than close of business (5:00 p.m.) on **June 8, 2022**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. All responses to petitions to intervene must be filed by the close of business (5:00 p.m.) on the second business day after the petition to intervene was filed. Any person who seeks to intervene in this matter and also desires to comment on the Attorney General's notice of retention of experts and consultants must file the comments no later than the close of business (5:00 p.m.) on **June 8, 2022**. One copy of written comments on the Attorney General's

notice of retention of experts and consultants must be emailed to [elizabeth.l.mahony@mass.gov](mailto:elizabeth.l.mahony@mass.gov).

Eversource's filing and all subsequent related documents, pleadings, and/or filings submitted to the Department and/or issued by the Department will be available on the Department's website as soon as is practicable at <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "22-55"). To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed above, is sufficient. To request materials in accessible formats (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at [DPUADACoordinator@state.ma.us](mailto:DPUADACoordinator@state.ma.us).

For further information regarding the Company's filing, please contact the Company's attorney, John K. Habib, Esq. at [jhabib@keeganwerlin.com](mailto:jhabib@keeganwerlin.com) or 617-951-1400. For further information regarding this Notice, please contact Katie Zilgme, Hearing Officer, Department of Public Utilities, at [katie.zilgme@mass.gov](mailto:katie.zilgme@mass.gov).