



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 15-166

November 2, 2015

Petition of the Towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, Yarmouth, and the Counties of Barnstable and Dukes, acting together as the Cape Light Compact, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2016 through 2018.

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On October 30, 2015, the Towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, Yarmouth, and the Counties of Barnstable and Dukes, acting together as the Cape Light Compact ("Compact"), filed with the Department of Public Utilities ("Department") a petition for approval of a three-year energy efficiency plan, covering calendar years 2016 through 2018 ("Three-Year Plan"). The Compact filed its Three-Year Plan pursuant to An Act Relative to Green Communities, Acts of 2008, c. 169, § 11 ("Green Communities Act"), and 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 (2008); D.P.U. 08-50-A (2009); D.P.U. 08-50-B (2009); D.P.U. 08-50-C (2011); D.P.U. 08-50-D (2012). The Department has docketed this matter as D.P.U. 15-166.

The Green Communities Act requires the Commonwealth's electric and gas distribution companies, and municipal aggregators with certified efficiency plans ("Program Administrators") to develop energy efficiency plans that provide for the acquisition of all available energy efficiency and demand reduction resources that are cost-effective or less expensive than supply. G.L. c. 25, § 21. To accomplish this goal, Program Administrators are required to develop three-year energy efficiency plans, in consultation with the Energy Efficiency Advisory Council ("Council"), and submit such plans to the Department. G.L. c. 25, § 21. Once a plan is submitted, the Green Communities Act requires the Department to: (1) consider the plan; (2) provide an opportunity for interested persons to be heard in a public hearing; and (3) within 90 days after the submission of the plan, issue a decision on the plan that ensures that all energy efficiency and demand reduction resources that are cost-effective or less expensive than supply have been identified and captured by the Program Administrator. G.L. c. 25, § 21.

The Compact's proposed Three-Year Plan includes energy efficiency programs for residential, low-income, and commercial and industrial customers. The Plan also includes the Compact's Residential Conservation Service filing. The Compact's proposed budget for the three-year period is \$127,271,671 (\$38,586,017 in 2016, \$42,264,803 in 2017, and \$46,420,852 in 2018).

If the Compact's Three-Year Plan is approved as proposed, the Compact states that its proposed budgets will have the following effects:

- A residential customer (R-1) using 584 kilowatt-hours per month could experience a monthly bill decrease of \$1.76 or 1.41 percent in 2016; a monthly bill decrease of \$1.97 or 1.6 percent in 2017; and a monthly bill decrease of \$0.19 or 0.16 percent in 2018;
- A low-income (R-2) customer using 483 kilowatt-hours per month could experience a monthly bill increase of \$0.12 or 0.17 percent in 2016; a monthly bill decrease of \$0.01 or 0.01 percent in 2017; and a monthly bill increase of \$0.06 or 0.08 percent in 2018; and
- Bill impacts for commercial and industrial customers will vary. These customers should contact the Compact for specific bill impact information.

Customers who participate in energy efficiency programs may experience a monthly bill decrease over the duration of the Three-Year Plan. For specific bill impacts, please contact the Compact as indicated below.

Copies of the Three-Year Plan are on file at the Department's offices, One South Station - 5<sup>th</sup> Floor, Boston, Massachusetts 02110 for public viewing during business hours and on the Department's website at <http://www.mass.gov/dpu>. Documents on the Department's website may be accessed either by browsing for documents by industry (e.g., Electric or Gas) at <http://web1.env.state.ma.us/DPU/FileRoom/dockets/byindustry> or by looking up the docket by its number in the docket database at <http://web1.env.state.ma.us/DPU/FileRoom/dockets/bynumber>. A copy is also on file for public view at Barnstable Superior Court House, 3195 Main Street (Route 6A), Barnstable, Massachusetts 02630, and on the Compact's website. Any person desiring further information regarding the Three-Year Plan should contact counsel for the Company, Jo Ann Bodemer, Esq. at (617) 244-9500. Any person desiring further information regarding this notice should contact Jeffrey Leupold or Clayton Hale, Hearing Officers, Department of Public Utilities, at (617) 305-3500.

The Department will conduct a public hearing to receive comments on the proposed Three-Year Plan. The hearing will take place on **November 30, 2015, 2:00 p.m.** at the Department's offices, One South Station – 5<sup>th</sup> Floor, Boston, Massachusetts 02110. Any person who desires to comment may do so at the time and place noted above or submit written comments to the Department not later than the close of business (5:00 p.m.) on **November 30, 2015**.

Any person who participated in the Council process or whose interests were represented by a member of the Council, and who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Monday, November 2, 2015**. Any person who did not participate in the Council process or whose interests were not represented by a member of the Council, and who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Friday, November 13, 2015**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 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 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 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 of the second business day after the petition to intervene was filed.

An original and one (1) copy of all written comments or petitions to intervene must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station - 5<sup>th</sup> Floor, Boston, Massachusetts 02110, not later than the close of business on the dates noted above. One copy of all written comments or petitions to intervene should also be sent to the Compact's attorney, Jo Ann Bodemer, Esq., BCK LAW, P.C., 271 Waverly Oaks Road, Suite 203, Waltham, MA 02452, and by email, [jbodemer@bck.com](mailto:jbodemer@bck.com).

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@state.ma.us](mailto:dpu.efiling@state.ma.us), and the hearing officers [jeffrey.leupold@state.ma.us](mailto:jeffrey.leupold@state.ma.us) and [clayton.hale@state.ma.us](mailto:clayton.hale@state.ma.us) or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding D.P.U. 15-166; (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.