



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 24-126

August 19, 2024

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 and Yarmouth, and Dukes County, organized and operating collectively as Cape Light Compact JPE, for approval of a mid-term modification to its 2022-2024 Three-Year Energy Efficiency Plan.

On August 15, 2024, 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 and Yarmouth, and Dukes County, organized and operating collectively as Cape Light Compact JPE (“Compact”), filed a petition with the Department of Public Utilities (“Department”) seeking approval of a mid-term modification to its 2022-2024 Three-Year Energy Efficiency Plan (“Three-Year Plan”), which was filed in D.P.U. 21-121 and approved by the Department in 2022-2024 Three-Year Energy Efficiency Plans, D.P.U. 21-120 through D.P.U. 21-129 (2022). The Department docketed this matter as D.P.U. 24-126.

The Compact proposes to modify its Three-Year Plan to: (1) increase its Department-approved energy efficiency budgets in the Residential, Income-Eligible, and Commercial and Industrial (“C&I”) sectors. In total, the Compact proposes to increase its Department-approved Three-Year Plan budget for 2024 by \$15,170,886. On March 14, 2024, the Department approved a prior mid-term modification request that: (1) increased the Compact’s energy efficiency budget for the Residential and Income-Eligible sectors; and (2) decreased the Compact’s energy efficiency budget for the C&I sector. Cape Light Compact JPE, D.P.U. 23-58, Stamp-Approved Initial Filing (March 14, 2024).

For the Residential sector, the Compact proposes to increase its Department-approved budget in D.P.U. 23-58 by \$6,859,122 (or 6 percent). The Compact seeks to increase the budget for its Residential Hard-to-Measure program by \$6,603,134 (or 44 percent). The Compact maintains that it has experienced greater-than-anticipated participation in the Mass Save Heat Loan measure. In addition, the Compact proposes to increase its Residential New Buildings program by \$255,988 (or 2 percent). The Compact maintains that it has experienced greater-than-anticipated demand for all-electric projects in this program and states it will use the increased budget to fund incentives for projects already in the pipeline through the end of 2024.

For the Income-Eligible sector, the Compact proposes to increase its Department-approved budget in D.P.U. 23-58 by \$6,806,867 (or 18 percent). The Compact seeks to increase the budget for the Income-Eligible Hard-to-Measure program by \$134,750 (or 12 percent). The Compact maintains that this request is driven by increased costs in the Income-Eligible Workforce Development and the Department of Energy Resources (“DOER”) Assessment core initiatives. In addition, the Compact proposes to increase its budget for the Income-Eligible Existing Buildings program by \$6,672,117 (or 18 percent). The Compact maintains that it has experienced greater-than-expected costs for heat pump installations in this program as well as an increased volume of heat pump installations over planned volumes.

Finally, for the C&I sector, the Compact proposes to increase its Department-approved budget in D.P.U. 23-58 by \$1,504,897 (or 3 percent). The Compact seeks to increase the budget for its C&I Hard-to-Measure program by \$58,082 (or 2 percent). The Compact maintains that the request is driven by increased costs associated with the Evaluation and Market Research and DOER Assessment core initiatives. In addition, the Compact proposes to increase the budget for its C&I Existing Buildings program by \$1,424,006 (or 4 percent). The Compact maintains it has experienced higher-than-anticipated demand for weatherization and heat pump projects. Finally, the Compact proposes to increase the budget for its C&I New Buildings program by \$22,808 (or 1 percent). The Compact maintains that this additional budget authorization is necessary to address uncertainty regarding its end-of-term spending related to permitting, weather, and expected completion dates.

If the Department approves the budget increases as proposed for this latest mid-term modification, the Compact states that customers will experience the following additional bill impacts:

- An average residential customer (R-1) using 516 kilowatt-hours (“kWh”) of electricity per month will experience a monthly bill increase of \$4.92 (or 2.67 percent).
- An average low-income residential assistance (R-2) customer using 488 kWh of electricity per month will experience a monthly bill increase of \$0.88 (or 0.90 percent).
- Bill impacts for C&I customers will vary. These customers should contact the Compact for specific bill impact information.

The Department will conduct a public hearing to receive comments on the Compact’s petition on **Monday, September 9, 2024, beginning at 2:00 p.m.** The hearing will be virtual and use Zoom video conferencing. Attendees can join the public meeting by entering the link, <https://us06web.zoom.us/j/86890443767>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the public hearing, attendees can dial in at **(646) 558-8656 or (309) 205-3325 (not toll free)** and then enter the **Meeting ID# 868 9044 3767**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Thursday, September 5, 2024**, to [krista.hawley@mass.gov](mailto:krista.hawley@mass.gov) with your name, email address, and mailing address.

Any person interested in commenting on this matter may submit written comments no later than the close of business (5:00 p.m.) on **Tuesday, September 10, 2024**. Please note that in the interest of transparency any comments will be posted to our website as received and without redacting personal information, such as addresses, telephone numbers, or email addresses. Therefore, consider the extent of information you wish to share when submitting comments. The Department strongly encourages public comments to be submitted by email using the methods described below. If, however, a member of the public is unable to send written comments by email, a paper copy may be sent to Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110.

Any person who desires to participate otherwise in the evidentiary phase of this proceeding shall file a petition for leave to intervene no later than 5:00 p.m. on **Thursday, September 5, 2024**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. Receipt by the Department 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.

To the extent a person or entity wishes to submit comments or a petition to intervene in accordance with this Notice, electronic submission is sufficient. All documents must be submitted to the Department in **.pdf format** by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and [krista.hawley@mass.gov](mailto:krista.hawley@mass.gov). The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 24-126); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. In addition, a copy of all comments or petitions to intervene should be sent to the Compact's attorney, Audrey Eidelman Kiernan, Esq., at [akiernan@kolawpc.com](mailto:akiernan@kolawpc.com). All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "24-126") at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber>.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at [Jenyka.Spitz-Gassnola2@mass.gov](mailto:Jenyka.Spitz-Gassnola2@mass.gov).

For further information regarding the Compact's filing, please contact the Compact's attorney, identified above. For further information regarding this Notice, please contact Krista Hawley, Hearing Officer, Department of Public Utilities, at [krista.hawley@mass.gov](mailto:krista.hawley@mass.gov).