



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND REQUEST FOR COMMENTS

D.P.U. 23-143

December 12, 2023

Petition of The Berkshire Gas Company for Approval of Gas Supply Contracts Pursuant to G.L. c. 164, § 94A.

On November 21, 2023, The Berkshire Gas Company (“Company”) filed a petition with the Department of Public Utilities (“Department”) seeking approval of two contracts: (1) an agreement with Repsol Energy North American Corporation for delivery of up to 4,730 Dth/day of natural gas for 30 days out of the year, as elected by the Company, at Dracut, Massachusetts (the interconnect between the joint facilities of Portland Natural Gas Transmission System and Maritimes and Northeast Pipeline) for an initial period of five years; and (2) an agreement with Tennessee Gas Pipeline Company for delivery of up to 3,230 Dth/day to the Company’s Stockbridge gate station, with a receipt point in Dracut. Each of these contracts has a term in excess of one year and is therefore subject to the Department’s jurisdiction pursuant to G.L. c. 164, § 94A. The Department docketed this matter as D.P.U. 23-143.

Any person interested in commenting on this matter may submit written comments to the Department no later than the close of business (5:00 p.m.) on **Thursday, January 4, 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 e-mail addresses. As such, members of the public should consider the extent of information they wish to share when submitting comments. The Department strongly encourages public comments to be submitted by email. 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 **Wednesday, December 27, 2023**. 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.

The Attorney General of the Commonwealth of Massachusetts (“Attorney General”) filed a notice to intervene in this matter pursuant to G.L. c. 12, § 11E. Further, pursuant to G.L. c. 12, § 11E(b), the Attorney General filed a notice of intent to retain experts and consultants to assist her investigation of the Company’s filing and has requested Department approval to spend up to \$150,000 in this regard. Pursuant to G.L. c. 12, § 11E(b), the costs incurred by the Attorney General relative to her retention of experts and consultants may be recovered in the Company’s rates. Any person who desires to comment on the Attorney General’s notice of intent to retain experts and consultants may submit written comments to the Department not later than the close of business (5:00 p.m.) on **Wednesday, December 27, 2023**.

All documents should be submitted to the Department in **.pdf format** by e-mail attachment to dpu.efiling@mass.gov and laurie.e.weisman@mass.gov. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 23-143); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. All documents submitted in electronic format will be posted on the Department’s website through our online File Room as soon as practicable (enter “23-143”) at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber>. In addition, one copy of all written comments and petitions to intervene should be emailed to the Company’s attorneys: Kevin F. Penders, Esq., at kpenders@keeganwerlin.com, and Brendan P. Vaughn, Esq., at bvaughan@keeganwerlin.com.

The filings and all subsequent related documents submitted to the Department or issued by the Department will be available on the Department’s website as referenced above as soon as is practicable. To the extent a person or entity wishes to submit comments or intervene in accordance with this Notice, electronic submission, as detailed above, is sufficient. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department’s ADA coordinator at Gabriella.Knight@mass.gov.

For further information regarding an LDC’s filing, please contact the Company’s attorneys, identified above. For further information regarding this Notice, please contact Laurie Ellen Weisman, Hearing Officer, Department of Public Utilities, at laurie.e.weisman@mass.gov.