



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND REQUEST FOR COMMENTS

D.P.U. 23-GSEP-02

November 15, 2023

Petition of The Berkshire Gas Company for Approval of its 2024 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2024.

On October 31, 2023, The Berkshire Gas Company (“Berkshire” or “Company”) submitted to the Department of Public Utilities (“Department”) its 2024 gas system enhancement plan (“GSEP”) to replace aging natural gas pipeline infrastructure. Berkshire states that its 2024 revenue requirement is \$3,878,973, which represents the cumulative cost to replace eligible leak-prone infrastructure through the end of calendar year 2024. The Company proposes to collect this amount through the gas system enhancement adjustment factors (“GSEAFs”). The Company states that its proposed revenue requirement does not exceed the three-percent cap. The Department has docketed this matter as D.P.U. 23-GSEP-02.

According to the Company, its proposed 2024 GSEP is consistent with the requirements of G.L. c. 164, § 145, which allows gas distribution companies to accelerate the replacement of eligible infrastructure to improve public safety or infrastructure reliability, and to reduce or potentially reduce lost and unaccounted for natural gas. Berkshire has also filed its second five-year update of the GSEP, in which it provides a summary of the progress the Company has made to date replacing leak-prone infrastructure, a summary of the work to be completed under its GSEP for the next five years, and a discussion of GSEP issues that Berkshire and the other local gas distribution companies have identified as impacting the continued effectiveness of GSEPs.

The Company states that approval of the GSEAFs will result in a monthly bill increase of \$2.74 or 1.18 percent for the average residential heating customer using 136 therms per month during the winter months, and a monthly bill increase of \$0.59 or 1.45 percent for the average residential heating customer using 29 therms per month during the summer months. Pursuant to G.L. c. 164, § 145, on May 1, 2025, the Company will submit to the Department the amount recovered through the GSEAFs for reconciliation with actual 2024 calendar year GSEP costs.

The Company proposes the following GSEAFs by rate class sector for effect May 1, 2024:

| Rate Class Sector | Proposed GSEAF (\$/Therm) |
|---|---------------------------|
| Residential (R-1 through R-4) | \$0.0569 |
| Small Commercial & Industrial (“C&I”) (G-41/G-51) | \$0.0357 |
| Medium C&I (G-42/G-52) | \$0.0475 |
| Large C&I (G-43/G-53) | \$0.0417 |
| Extra Large C&I (T-54) | \$0.0094 |

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, December 19, 2023**. Written comments from the public may be sent by email to dpu.efiling@mass.gov, elyssa.klein@mass.gov, and the Company’s attorneys, Brendan Vaughan, Esq., Keegan Werlin LLP, at bvaughan@keeganwerlin.com, and Daniel Venora, Esq., Keegan Werlin LLP, at dvenora@keeganwerlin.com. 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. As such, consider the extent of information you 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 **Monday, November 27, 2023**. 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.

On November 7, 2023, 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(a). 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 party 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 Monday, November 27, 2023.

All documents should be submitted to the Department in **.pdf format** by e-mail attachment to dpu.efiling@mass.gov and elyssa.klein@mass.gov. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 23-GSEP-02); (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-GSEP-02") 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, Brendan Vaughan, Esq., Keegan Werlin LLP, at bvaughan@keeganwerlin.com, and Daniel Venora, Esq., Keegan Werlin LLP, at dvenora@keeganwerlin.com.

The filing 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 the Company's filing, please contact the Company's attorneys, identified above. For further information regarding this Notice, please contact Elyssa Klein, Hearing Officer, Department of Public Utilities, at elyssa.klein@mass.gov.