



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING AND REQUEST FOR COMMENTS

D.P.U. 22-GSEP-02

November 9, 2022

Petition of The Berkshire Gas Company for Approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2023.

On October 31, 2022, The Berkshire Gas Company (“Berkshire” or “Company”) submitted to the Department of Public Utilities (“Department”) its 2023 gas system enhancement plan (“GSEP”) to replace aging natural gas pipeline infrastructure. Berkshire states that its 2023 revenue requirement is \$2,943,740, which represents the cumulative cost to replace eligible leak-prone infrastructure through the end of calendar year 2023. 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 3.0 percent cap. In addition, the Company submitted changes to its local distribution adjustment clause tariff for approval by the Department to: (1) adjust the definition of “eligible infrastructure replacement project”; and (2) add a definition of “non-emitting renewable thermal infrastructure project.” The Department has docketed this matter as D.P.U. 22-GSEP-02.

According to the Company, its proposed 2023 GSEP is consistent with the requirements of G.L. c. 164, § 145, which allows gas distribution companies to accelerate the replacement of eligible infrastructure in order to improve public safety or infrastructure reliability, and to reduce or potentially reduce lost and unaccounted for natural gas. The Company states that approval of the GSEAFs will result in a monthly bill decrease of \$2.67 or 0.99 percent for the average residential heating customer using 136 therms per month during the winter months, and a monthly bill decrease of \$0.57 or 0.86 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, 2024, the Company will submit to the Department the amount recovered through the GSEAFs for reconciliation with actual 2023 calendar year GSEP costs.

The Company proposes the following GSEAFs by rate class sector for effect May 1, 2023:

Rate Class Sector	Proposed GSEAF (\$/Therm)
Residential (R-1 through R-4)	\$0.0434
Small Commercial & Industrial (“C&I”) (G-41/G-51)	\$0.0352
Medium C&I (G-42/G-52)	\$0.0323
Large C&I (G-43/G-53)	\$0.0272
Extra Large C&I (T-54)	\$0.0072

The Department is providing an extended written comment period. Any person interested in commenting on the Company’s filing may submit written comments to the Department no later than the close of business (5:00 p.m.) on **Tuesday, December 20, 2022**. Written comments from the public may be sent by email to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov), [stephanie.mealey@mass.gov](mailto:stephanie.mealey@mass.gov), and the Company’s attorneys, Brendan Vaughan, Esq., Keegan Werlin LLP, at [bvaughan@keeganwerlin.com](mailto:bvaughan@keeganwerlin.com), and Daniel Venora, Esq., Keegan Werlin LLP, at [dvenora@keeganwerlin.com](mailto:dvenora@keeganwerlin.com). At this time, the Department strongly encourages public comments to be submitted only in electronic format consistent with the Commission’s June 15, 2021 directive related to modified filing requirements. 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, 5th Floor, Boston, Massachusetts, 02110.

On November 1, 2022, the Attorney General of the Commonwealth of Massachusetts filed a notice to intervene in this matter pursuant to G.L. c. 12, § 11E(a). Any other person who desires to participate in the evidentiary phase of this proceeding shall file a petition for leave to intervene no later than 5:00 p.m. on **Wednesday, November 23, 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.

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 [stephanie.mealey@mass.gov](mailto:stephanie.mealey@mass.gov). The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-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 “22-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](mailto:bvaughan@keeganwerlin.com), and Daniel Venora, Esq., Keegan Werlin LLP, at [dvenora@keeganwerlin.com](mailto:dvenora@keeganwerlin.com).

At this time, a paper copy of the filing will not be available for public viewing at the Company’s offices or the Department due to certain ongoing safety measures and precautions

relating to in-person events as a result of the COVID-19 pandemic. The 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 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 [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@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 Stephanie Mealey, Hearing Officer, Department of Public Utilities, at [stephanie.mealey@mass.gov](mailto:stephanie.mealey@mass.gov).