



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING, PUBLIC HEARING, AND PROCEDURAL CONFERENCE

D.P.U. 22-148

December 9, 2022

Petition of The Berkshire Gas Company to the Department of Public Utilities pursuant to G.L. c. 164, § 69I, for Review and Approval of its Long-Range Forecast and Supply Plan for the split-years 2022/23 to 2026/27.

On November 18, 2022, The Berkshire Gas Company ("Company") filed a petition with the Department of Public Utilities ("Department") for approval of its Long-Range Forecast and Supply Plan ("Plan") for the split-years 2022/23 to 2026/27. Pursuant to G.L. c. 164, § 69I, the Department must ensure a necessary gas supply for the Commonwealth at the lowest possible cost. Accordingly, the Department will review the Company's Plan to ensure that the forecast accurately projects the gas sendout requirement of the utility's market area. The Department has docketed this matter as D.P.U. 22-148.

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 in 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 interested in commenting on the Attorney General's notice of intent to retain experts and consultants may submit written comments to the Department no later than the close of business (5:00 p.m.) on **Wednesday, December 28, 2022**.

**Due to certain ongoing precautions and safety measures relating to in-person events, the Department will conduct a virtual public hearing to receive comments on the Company's filing.** The Department will conduct the hearing using Zoom videoconferencing on **Wednesday, January 4, 2023**, beginning at **3:00 p.m.** The Department will conduct a procedural conference immediately following the public hearing. Attendees can join by entering the link <https://us06web.zoom.us/j/81382874774> from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearings, attendees can dial in at **1-646-558-8656** (not toll free) and enter the **Meeting ID# 813 8287 4774**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Friday, December 30, 2022**, to [Julianne.Desmet@mass.gov](mailto:Julianne.Desmet@mass.gov) with your name, email address, and mailing address.

Any person interested in commenting on the Company's filing may also submit written comments to the Department no later than the close of business (5:00 p.m.) on **Wednesday, January 4, 2023**. Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)) regarding the filing of documents. At this time, however, all filings will be submitted to the Department only in electronic format, consistent with the Department's June 15, 2021 Memorandum addressing continued modified filing requirements. Until further notice, parties must retain the original paper version of the filing and the Department will later determine when the paper version must be filed with the Department Secretary.

Additionally, 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 28, 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 to 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 fifth business day after the petition to intervene is filed.

All comments or petitions to intervene must be submitted to the Department in pdf format by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and [Julianne.Desmet@mass.gov](mailto:Julianne.Desmet@mass.gov). In addition, all comments or petitions to intervene should be submitted to the Company's attorneys (Kevin F. Penders, Esq., Steven Frias, Esq., and Brendan P. Vaughn, Esq.) by email attachment to [kpenders@keeganwerlin.com](mailto:kpenders@keeganwerlin.com), [sfrias@keeganwerlin.com](mailto:sfrias@keeganwerlin.com), and [bvaughan@keeganwerlin.com](mailto:bvaughan@keeganwerlin.com). The text of the email must specify: (1) the docket number of the proceeding (D.P.U. 22-148); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that **do not exceed 20 MB**.

At this time, a paper copy of the filing will not be available for public viewing at the Company's offices or the Department's office. The Company's 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 soon as is practicable at <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "22-148"). 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](mailto:Gabriella.Knight@mass.gov).

Any person desiring further information regarding the Company's filing or a paper copy of the filing should contact the Company's attorneys at [kpenders@keeganwerlin.com](mailto:kpenders@keeganwerlin.com), [sfrias@keeganwerlin.com](mailto:sfrias@keeganwerlin.com), and [bvaughan@keeganwerlin.com](mailto:bvaughan@keeganwerlin.com). For further information regarding this Notice, please contact Julianne Desmet, Hearing Officer, Department of Public Utilities, at [Julianne.Desmet@mass.gov](mailto:Julianne.Desmet@mass.gov).