



# The Commonwealth of Massachusetts

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## DEPARTMENT OF PUBLIC UTILITIES

### **NOTICE OF FILING, PUBLIC HEARING, AND REQUEST FOR COMMENTS**

D.P.U. 23-93

November 21, 2023

Petition of The Berkshire Gas Company for Approval of a Mid-Term Modification to its 2022-2024 Three-Year Energy Efficiency Plan.

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On August 28, 2023, The Berkshire Gas Company ("Company") filed a petition with the Department of Public Utilities ("Department") seeking a mid-term modification to its 2022-2024 Three-Year Energy Efficiency Plan ("Three-Year Plan"), which was filed in D.P.U. 21-120 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. 23-93.

The Company proposes to increase its Department-approved energy efficiency budgets in the Residential, Income-Eligible, and the Commercial and Industrial ("C&I") sectors. In the Residential sector, the Company proposes to increase the budget for the Residential Existing Building program by \$2,660,000 (or 32 percent) and the budget for its Residential Hard-to-Measure program by \$140,000 (or 28 percent). The Company maintains that the proposed increase in the Residential Existing Building program budget is driven by higher than expected demand for heat pumps and states that it will use the budget increase to offer participant incentives for electrification measures within its Residential Retail Core Initiative. The Company maintains that the proposed increase in the Residential Hard-to-Measure program budget is necessary to address unanticipated increases in spending for education, evaluation and market research, sponsorships, and assessments.

In the Income-Eligible sector, the Company proposes to increase the budget for the Income-Eligible Existing Buildings program by \$450,000 (or 10 percent). The Company maintains that the proposed increase is necessary to ensure that the Company allocates at least 20 percent of its expenditures for gas energy efficiency programs to the Income-Eligible sector as required by G.L. c. 25, § 19(c). The Company states that it will use the budget increase to fund a new large multi-family project.

In the C&I sector, the Company proposes a budget increase of \$4,350,000 (or 139 percent) for the C&I Existing Buildings program. The Company maintains that the proposed increase is driven by higher than anticipated demand and states that it will use the budget increase for participant incentives in the C&I New & Replacement Core Initiative and the Existing Building Retrofit Core Initiative.

If the Department approves the mid-term modifications and associated budget increases as proposed, the Company states that customers will experience the following bill impacts:

- Average residential heating customers using 136 therms of gas per month in winter will experience a monthly bill increase of \$4.077 (or 1.52 percent).
- Average residential low-income heating customers using 123 therms of gas per month in winter will experience a monthly bill increase of \$2.76 (or 1.52 percent).
- Bill impacts for C&I customers will vary. These customers should contact the Company for specific bill impact information.

The Department will conduct a public hearing to receive comments on the Company's petition on **Friday, December 15, 2023, beginning at 2:00 p.m.** The hearing will be virtual and use Zoom videoconferencing. Attendees can join the public hearing by entering the link, <https://us06web.zoom.us/j/85792715038>, 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# 857 9271 5038**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Thursday, December 14, 2023**, to Elyssa Klein, Hearing Officer at [elyssa.klein@mass.gov](mailto:elyssa.klein@mass.gov) with your name, email address, and mailing address.

Any person interested in commenting on this matter also may submit written comments no later than the **close of business (5:00 p.m.) on Monday, December 18, 2023**. 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 method 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 in the evidentiary phase of this proceeding must file a petition for leave to intervene no later than **5:00 p.m. on Monday, December 11, 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 will 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 should be submitted to the Department in **.pdf format** by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and

[elyssa.klein@mass.gov](mailto:elyssa.klein@mass.gov). In addition, a copy of all comments or petitions to intervene should be sent to the Company's attorneys, Emmett Lyne, Esq., at [elyne@richmaylaw.com](mailto:elyne@richmaylaw.com), Leah Cohen, Esq., at [lcohen@richmaylaw.com](mailto:lcohen@richmaylaw.com), Joseph Dorfler, Esq., at [jdorfler@richmaylaw.com](mailto:jdorfler@richmaylaw.com), and David Lyons, Esq., at [dlyons@richmaylaw.com](mailto:dlyons@richmaylaw.com). The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 23-93); (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 "23-93") 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, Gabriella Knight at [gabriella.knight@mass.gov](mailto: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](mailto:elyssa.klein@mass.gov).