



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

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

D.P.U. 22-32

April 13, 2022

Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for Review and Approval of an Agreement to Purchase Renewable Natural Gas from Fall River RNG LLC and of the Liberty RNG Program.

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On March 31, 2022, Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty (“Liberty” or “Company”) filed with the Department of Public Utilities (“Department”) a petition for approval of an agreement (“Agreement”) with Fall River RNG LLC, a subsidiary of Fortistar Methane Group (“Fortistar”), for its Fall River and North Attleboro service territories. The Agreement is for a twenty-year period commencing November 1, 2022. According to the Company, Fall River RNG will provide annual supply quantities of renewable natural gas (“RNG”) during the term of the Agreement. Fortistar will build a RNG facility at the Fall River Landfill to collect, treat, and compress landfill gas generated there; the Department will not address construction of the RNG facility in this proceeding. Pursuant to G. L. c. 164, §94A, the Company is required to submit contracts for the purchase of natural gas with a term in excess of one year for the Department’s review and approval. The Company also proposes to establish Liberty RNG, which is a voluntary participation program available to customers in the Fall River and North Attleboro service territories that would allow customers to purchase RNG representing a percentage equivalent of the participating customer’s total natural gas usage. A proposed Liberty RNG Service tariff is included in the filing and sets forth RNG supply options and pricing. The Department has docketed this matter as D.P.U. 22-32.

**Due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic, the Department will conduct a virtual public hearing to receive comments on the Company’s filing.** The Department will conduct the hearings using Zoom videoconferencing on **Thursday, May 26, 2022**, beginning at **2:00 p.m.** Attendees can join by entering the link, <https://us06web.zoom.us/j/82991241388>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearings, attendees can dial in at **(646) 558-8656 (not toll free)** and then enter the **Meeting ID# 829 9124 1388**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Monday, May 23, 2022**, to [sarah.smegal@mass.gov](mailto:sarah.smegal@mass.gov) with your name, email address, and

mailing address. If you anticipate commenting by telephone, please leave a voicemail message by **Monday, May 23, 2022**, at (617) 305-3653 with your name, telephone number, 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 **Thursday, May 26, 2022**. At this time, all filings will be submitted only in electronic format consistent with the Commission's June 15, 2021 directive related to modified filing requirements. 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)); however, until further notice, parties must retain the original paper version and the Department will later determine when the paper version must be filed with the Department Secretary.

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 **Friday, May 13, 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 [sarah.smegal@mass.gov](mailto:sarah.smegal@mass.gov). The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-32); (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. All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "22-32") 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, Ronald Ritchie, Esq., at [r.j.ritchie@libertyutilities.com](mailto:r.j.ritchie@libertyutilities.com), Kevin Penders, Esq., at [kpenders@keeganwerlin.com](mailto:kpenders@keeganwerlin.com), and Jameson Calitri, Esq., at [jcalitri@keeganwerlin.com](mailto:jcalitri@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 Sarah Smegal, Hearing Officer, Department of Public Utilities, at [sarah.smegal@mass.gov](mailto:sarah.smegal@mass.gov).