



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 22-94

August 1, 2022

Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for approval of a mid-term modification of its 2022-2024 Three-Year Energy Efficiency Plan.

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On July 25, 2022, Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty (“Company”) filed a petition with the Department of Public Utilities (“Department”) seeking a mid-term modification of its 2022-2024 Three-Year Energy Efficiency Plan (“Three-Year Plan”) approved by the Department in 2022-2024 Three-Year Energy Efficiency Plans, D.P.U. 21-120 through D.P.U. 21-129 (January 31, 2022). The Department docketed this matter as D.P.U. 22-94. The Company requests Department approval of its mid-term modification request by August 30, 2022.

As part of its Three-Year Plan, the Company offers a Commercial and Industrial (“C&I”) Existing Building Retrofit Core Initiative, which provides incentives to C&I customers for pursuing energy efficiency measures and strategies to optimize their operations, including upgrading existing systems and equipment to more efficient options. The Company states that in order to meet increased production demand, an industrial customer (“Industrial Customer”) in its service territory has decided to undertake a significant expansion project at its facility in Fall River, Massachusetts. The Company maintains that it is necessary to provide a participant incentive to this Industrial Customer to install a new, more efficient, industrial heat-pump system as part of its facility expansion project. The Company proposes a mid-term modification of its Three-Year Plan in order to increase its C&I sector budget by \$2,135,250 (or 60 percent) to provide the participant incentive. The Company asserts that the new heat-pump technology to be installed by the Industrial Customer will result in reductions in both natural gas usage and greenhouse gas emissions.

The Company proposes to recover the costs associated with the mid-term modification from its C&I customers over two years, rather than one year, to minimize the financial impacts of the project. If the Department approves the mid-term modification and associated C&I budget increase as proposed, the bill impacts for C&I customers will vary. C&I customers should contact the Company for specific bill impact information. Residential customers, including low-income residential customers, will not experience any bill changes related to the Company’s proposal.

**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 public hearing using Zoom videoconferencing on **Thursday, August 18, 2022, beginning at 2:00 p.m.** Attendees can join by entering the link, <https://us06web.zoom.us/j/81016929225>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearing, attendees can dial in at **(646) 558-8656 or (301) 715-8592 (not toll free)** and then enter the **Meeting ID# 810 1692 9225**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Tuesday, August 16, 2022**, to [stephanie.mealey@mass.gov](mailto:stephanie.mealey@mass.gov) with your name, email address, and mailing address. If you anticipate commenting by telephone, please leave a voicemail message by **Tuesday, August 16, 2022**, at (617) 305-3582 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, August 18, 2022**. At this time, all filings will be submitted only in electronic format consistent with the Commission's June 15, 2021 directives 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.

On August 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, August 10, 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. 22-94); (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 "22-94") 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 attorney, Danielle Winter, Esq., Keegan Werlin LLP, at [dwinter@keeganwerlin.com](mailto:dwinter@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 attorney, Danielle Winter, Esq., Keegan Werlin LLP, at [dwinter@keeganwerlin.com](mailto:dwinter@keeganwerlin.com) or (617) 951-1400. For further information regarding this Notice, please contact Stephanie A. Mealey, Hearing Officer, Department of Public Utilities, at [stephanie.mealey@mass.gov](mailto:stephanie.mealey@mass.gov).

