



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

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

D.P.U. 22-20

July 1, 2022

Petition of The Berkshire Gas Company, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for approval of a rate settlement for base distribution rates effective January 1, 2023.

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On June 24, 2022, The Berkshire Gas Company (“Berkshire Gas” or “Company”) filed a petition with the Department of Public Utilities (“Department”) seeking approval of a rate settlement (“Settlement”) entered into with the Attorney General of the Commonwealth of Massachusetts (“Attorney General”). The Department has docketed this matter as D.P.U. 22-20. The Company’s last base distribution proceeding was in The Berkshire Gas Company, D.P.U. 18-40 (2019). According to Berkshire Gas, the Settlement would reduce its proposed base distribution rate increase of \$7.4 million to \$5.7 million.

Under the terms of the proposed Settlement, on January 1, 2023, the Company will implement: (1) an increase of approximately \$2,600,000 over currently effective rates; and (2) an increase of up to \$963,000 associated with the hiring of nine employees that Berkshire Gas represents will be hired in 2022. Additionally, on January 1, 2024, Berkshire Gas will be entitled to implement: (1) an increase of up to \$1,234,000 associated with the hiring of eleven incremental safety and reliability employees by November 30, 2023; (2) an increase of up to \$571,000 associated with certain capital investments completed during 2022; and (3) an increase of \$300,000 related to the early implementation of the Company’s new base distribution rates.

Pursuant to the proposed Settlement, Berkshire Gas will need to provide sufficient documentation to support the costs of the employees hired in 2022 and 2023 and the capital projects completed in 2022. Additionally, the Company will not be able to implement another increase or redesign of its base distribution rates until November 1, 2025, except as provided for in the Settlement or mandated by statute.

Pursuant to the proposed Settlement, the Company will maintain the current discount rate for its low-income customers at 25 percent of the total residential gas bill. Further, within ten days of the Settlement’s approval by the Department, Berkshire Gas shall pay \$125,000 to the Attorney General that shall be distributed at the Attorney General’s discretion to help consumers in Berkshire Gas’s service territories lower their natural gas bills. Under the terms of the proposed Settlement, the Department must approve the Settlement by November 1, 2022, or it is deemed to be withdrawn.

Berkshire Gas states that if its petition is approved as requested, the proposed Settlement will have the following bill impacts effective January 1, 2023:

- a typical residential non-heating customer using 176 therms per year will experience an annual bill increase of \$24.28, or 4.99 percent;
- a typical residential low-income non-heating customer using 47 therms per year will experience an annual bill increase of \$4.88, or 2.80 percent;
- a typical residential heating customer using 1,004 therms per year will experience an annual bill increase of \$49.90, or 2.85 percent;
- a typical residential low-income heating customer using 910 therms per year will experience an annual bill increase of \$33.95, or 2.83 percent; and
- Commercial and industrial customers will experience bill changes on an annual basis in the range of -1.80 percent to 7.67 percent, depending on their rate classification and level of therm usage.

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 two virtual public hearings to receive comments on the Company's filing. **The Department will conduct the two public hearings using Zoom videoconferencing on August 22, 2022, beginning at 10:00 a.m. and August 24, 2022, beginning at 6:00 p.m.**

Attendees can join the August 22, 2022, hearing at 10:00 a.m. by entering the link, <https://us06web.zoom.us/j/84122415048>, and the August 24, 2022, hearing at 6:00 p.m. by entering the link, <https://us06web.zoom.us/j/83857338080>, from a computer, smartphone, or tablet. No prior software download is required. For audio only access to the hearings, attendees can dial in to either hearing at (646) 558-8656 or (301) 715-8592 (not toll free) and then enter the Webinar ID: 841 2241 5048 for the August 22, 2022, hearing and Webinar ID: 838 5733 8080 for the August 24, 2022, hearing. If you anticipate providing comments via Zoom during either public hearing, please send an email by **August 21, 2022**, to [kevin.crane@mass.gov](mailto:kevin.crane@mass.gov) with your name, email address, mailing address, and hearing date.

Alternately, 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 **August 26, 2022**. To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed below, is sufficient.

Any 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 **Friday, July 22, 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 submitted to the Department pursuant to this Notice must be submitted in **pdf format** by e-mail attachment to [dpufiling@mass.gov](mailto:dpufiling@mass.gov) and [kevin.crane@mass.gov](mailto:kevin.crane@mass.gov). The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-20); (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 as soon as practicable at <https://eeaonline.eea.state.ma.us/DPU/Fileroom>. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB. A copy of any documents submitted to the Department also should be emailed to the Company's attorneys Brendan Vaughan, Esq. at [bvaughan@keeganwerlin.com](mailto:bvaughan@keeganwerlin.com), Daniel P. Venora, Esq. at [dvenora@keeganwerlin.com](mailto:dvenora@keeganwerlin.com), and Leonard Rodriguez, General Counsel at [leonard.rodriguez@avangrid.com](mailto:leonard.rodriguez@avangrid.com).

At this time, a paper copy of the Company's filing will not be available for public viewing at the Company's offices, the Department's offices, or at any location (e.g., public library, town hall) within the Company's service area. All documents, pleadings and filings submitted to the Department or issued by the Department related to these proceedings will be available on the Department's website at <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "22-20"). 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).

Any person desiring further information regarding the Company's filing, or a paper copy of the filing, should contact Daniel P. Venora, Esq. at 617-951-1400 or [dvenora@keeganwerlin.com](mailto:dvenora@keeganwerlin.com). For further information regarding this notice, please contact Kevin T. Crane, Hearing Officer, at [kevin.crane@mass.gov](mailto:kevin.crane@mass.gov).