PUBLIC HEARING NOTICE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTE PREVENTION

Notice is hereby given that the Department of Environmental Protection (DEP), in accordance with the provisions of M.G.L. c. 111, sections 142A and 142B, and M.G.L. c. 21N, has rescheduled three public hearings on a proposed new regulation titled Clean Energy Standard (310 CMR 7.75). The three hearings were previously scheduled for March 10th, 11th and 12th, 2015.

The purpose of the Clean Energy Standard is to reduce Massachusetts' reliance on fossil fuel-fired electric power plants by increasing the use of clean energy to generate electricity. The regulation would implement a policy included in the Massachusetts Clean Energy and Climate Plan for 2020.

The three public hearings will be conducted under the provisions of Chapter 30A of the Massachusetts General Laws:

April 14, 2015 at 1:00 PM
DEP Headquarters, One Winter Street, Boston, MA, (617) 292-5500

April 15, 2015 at 1:00 PM
DEP Central Regional Office, 8 New Bond Street, Worcester, MA, (508) 792-7650

April 16, 2015 at 1:00 PM
DEP Southeast Regional Office, 20 Riverside Drive, Lakeville, MA, (508) 946-2700

Testimony may be presented orally or in writing at the public hearings. Written comments also will be accepted until April 27th, 2015. Written testimony must be submitted by e-mail or mail to:

climate.strategies@state.ma.us

Department of Environmental Protection
Bureau of Waste Prevention
One Winter Street 7th Floor
Boston, MA 02108

This information is available in alternate format. Call Michelle Waters-Ekanem, Diversity Director, at 617-292-5751. TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep
Printed on Recycled Paper
Attn: Will Space

A copy of the proposed regulations and background information is available on MassDEP’s web site at http://www.mass.gov/eea/agencies/massdep/news/comment/. Copies also may be obtained by contacting Jordan Garfinkle at 617-292-5904 or jordan.garfinkle@state.ma.us.

For special accommodations for the hearings, contact Donald M. Gomes, MassDEP ADA Coordinator, at 617-556-1057, TDD Service 1-800-298-2207, One Winter St. Boston, MA 02108. This information is available in alternative format upon request.

By Order of the Department
Martin Suuberg, Commissioner
SMALL BUSINESS IMPACT STATEMENT

In order to accurately predict the impact the adoption, amendment, or repeal of a regulation will have on small businesses, the promulgating authority must conduct a thorough analysis that not only considers the potential effects of the action but also quantifies the costs, if any, associated with each. The questions below are designed to aid promulgating authorities in conducting their analysis.

Agency Submitting Regulation: MassDEP

Subject Matter of Regulation: Increasing the percentage of clean energy delivered to electricity customers

Regulation No: 310 CMR 7.75

Statutory Authority: M.G.L. Chapter 111, sections 142A through 142B, and M.G.L. c. 21N

Other Agencies Affected: None

Other Regulations That May Duplicate or Conflict with the Regulation: The regulations do not duplicate or conflict with other regulations.

Describe the Scope and Objectives of the Regulation: To implement a policy included in the Commonwealth’s Massachusetts Clean Energy and Climate Plan for 2020 (CECP), in compliance with the Global Warming Solutions Act, M. G. L. c. 21N.

Business Industry(ies) Affected by the Regulation: Retail sellers of electricity, including distribution utilities, competitive suppliers, and municipal light plants.

Types of Businesses Included in the Industry(ies): See above.

Total Number of Small Businesses Included in the Regulated Industry(ies) Please see the attached guidance documents for assistance determining the total number of small businesses: Electricity sales is not an activity normally undertaken by small businesses.

Number of Small Businesses Potentially Subject to the Proposed Regulation: MassDEP does not believe that any small businesses are subject to the regulation.

Effective Date Used In Cost Estimate: The regulation will take effect in 2015, but substantive requirements will not take effect until 2020.

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<td>*Note: For each question, please answer “yes” or “no” and offer a brief explanation. Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.</td>
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<th>No, small businesses will not have to provide additional administrative oversight.</th>
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| Yes | No | Will small businesses have to hire additional employees in order to comply with the proposed regulation?  
No, small businesses will not have to hire additional employees in order to comply with the proposed regulation. |
| Yes | No | Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?  
No, compliance with the regulation will not require small businesses to hire other professionals. |
| Yes | No | Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?  
No, the regulation does not require small businesses to purchase a product or make any other capital investments. |
| Yes | No | Are performance standards more appropriate than design standards?  
This regulation includes performance standards, but the regulated activity is not normally undertaken by small businesses. |
| Yes | No | Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?  
No, the regulation does not require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities. |
| Yes | No | Will the regulation have the effect of creating additional taxes and/or fees for small businesses?  
No, the regulation will not have the effect of creating additional taxes and/or fees for small businesses. |
| Yes | No | Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?  
No, the regulation does not require small businesses to provide educational services to keep up to date with regulatory requirements. |
| Yes | No | Is the regulation likely to deter the formation of small businesses in Massachusetts?  
No, the regulation is not likely to deter the formation of small businesses in Massachusetts. |
| Yes | No | Is the regulation likely to encourage the formation of small businesses in Massachusetts?  
No, the regulation is not likely to encourage the formation of small businesses in Massachusetts. |
| Yes | No | Can the regulation provide for less stringent compliance or reporting requirements for small businesses?  
No, the regulated activity is not normally undertaken by small businesses, so the regulation cannot provide for less stringent compliance or reporting requirements for small businesses. |
| Yes | No | Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?  
No, the regulated activity is not normally undertaken by small businesses, so the regulation cannot establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses. |
<p>| Yes | No | Can the compliance or reporting requirements be consolidated or simplified for small |</p>
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| ☒   |    | ☒| businesses?  
|     |    |   | No, the regulated activity is not normally undertaken by small businesses, so compliance or reporting requirements cannot be consolidated or simplified for small businesses. |
| Yes | No | ☒| Can performance standards for small businesses replace design or operational standards?  
|     |    |   | No. The regulation includes performance standards. |
| Yes | No | ☒| Are there alternative regulatory methods that would minimize the adverse impact on small businesses?  
|     |    |   | No, there are not alternative regulatory methods that would minimize the adverse impact on small businesses. |
| Yes | No | ☒| Were any small businesses or small business organizations contacted during the preparation of this document? If so, please describe.  
|     |    |   | No, because the regulated activity is not normally undertaken by small businesses, no small businesses or small business organizations were contacted during preparation of this document. |