



COMMONWEALTH OF MASSACHUSETTS

ENERGY FACILITIES SITING BOARD

NOTICE OF PUBLIC COMMENT AND HEARINGS



<https://www.mass.gov/info-details/efsb-25-10-proposed-rulemaking>

EFSB 25-10-A – Proposed Rulemakings Pursuant to 2024 Climate Act – Cumulative Impact Analysis and Standards for Applying Site Suitability Criteria

The Energy Facilities Siting Board (“Siting Board”) invites you to attend two public comment hearings to learn about implementation of the siting and permitting changes required by the 2024 Climate Act ([An Act promoting a clean energy grid, advancing equity and protecting ratepayers](#)), and provide written and/or oral comments. The Siting Board proposes to issue new regulations 980 CMR 15.00, Cumulative Impact Analysis and Standards for Applying Site Suitability Criteria. The proposed regulations and guidance documents for 980 CMR 15.00 are posted on the Siting Board’s webpage at: <https://www.mass.gov/info-details/efsb-25-10-proposed-rulemaking>.

The Siting Board will conduct two hybrid public comment hearings with in-person and remote participation options:

Public Comment Hearing 1:

Monday, February 2, 2026, 1:00 p.m.

One South Station, Boston, MA 02110

3rd floor, Large Hearing Room

Public Comment Hearing 2:

Monday, February 2, 2026, 6:00 p.m.

One South Station, Boston, MA 02110

3rd floor, Large Hearing Room

Remote attendees: join by using this link: <https://us06web.zoom.us/j/88522157975> from a computer, tablet, or smart device. For audio-only participation, attendees can dial-in at (646) 558-8656 (not a toll-free number) and then enter the Webinar ID: 885 2215 7975

The Siting Board also welcomes written comments on the proposed regulations. Written comments are due by 5:00 p.m., **Friday, February 13, 2026.**

Pre-registered commenters will speak first and others afterwards. To pre-register to provide oral comments (in person or remote), email SitingBoard.Filing@mass.gov with the subject line "EFSB 25-10-A SPEAKER SIGN UP," or leave a voice mail at (617) 305-3544. Please provide your name and email address by **noon**, February 2, 2026.

Comments are sought regarding the proposed regulations and guidance documents. The Siting Board will not take comments on pending projects or other cases that are under review at the Siting Board. The public comment hearing will be transcribed by a court reporter. In addition, a recording of the public comment hearings will be available on the Siting Board's YouTube channel at https://www.youtube.com/@MaDPU_hearing.

Important Dates

- **Monday, December 15, 2025** Siting Board Meeting on Rulemaking for Cumulative Impact Analysis and Site Suitability Criteria
- **Friday, December 19, 2025** Siting Board files Proposed Regulations with the Secretary of State
- **Friday, January 2, 2026** Proposed Regulations published in MassRegister
- **Monday, February 2, 2026, at 1:00 p.m., and 6:00 p.m.** Public Comment Hearings
- **Friday, February 13, 2026** Final Deadline for Written Comments

Procedural History

In November 2024, Governor Maura Healey signed into law the 2024 Climate Act, St. 2024, c. 239, which makes many changes to the way that energy infrastructure is sited and permitted in Massachusetts. The Siting Board is required to promulgate regulations and guidance to implement reforms related to siting and permitting by March 1, 2026. The Siting Board issued straw proposals and conducted public meetings to hear comments on the straw proposals. Based on comments received, the Siting Board drafted proposed regulations. For more information, visit: <https://www.mass.gov/climateact>. Siting Division staff issued for discussion purposes draft proposed regulations and guidance in July 2025, then the Siting Board conducted a public meeting to hear comments on the draft proposed regulations. Based on comments received, Siting Division staff revised the proposed regulations. For more information, visit: <https://www.mass.gov/info-details/2024-climate-act-regulations-meetings>. On September 8, 2025, the Siting Board heard staff presentations on the revised regulations and guidance proposals, and voted to open a formal rulemaking process. On September 12, 2025, the Siting Board issued a Final Decision to open the proposed rulemaking, docketed as EFSB 25-10. Available at: <https://www.mass.gov/info-details/efsb-25-10-proposed-rulemaking>.

The Siting Board is promulgating regulations to implement the Cumulative Impact Analysis and Site Suitability Criteria provisions of the 2024 Climate Act separately from its other regulations. The Office of Environmental Justice and Equity ("OEJE") at the Executive Office of Energy and Environmental Affairs ("EEA") has developed draft guidance on Cumulative Impact Analysis. EEA has developed draft guidance

on Site Suitability Criteria. The 2024 Climate Act requires the Siting Board to promulgate regulations which incorporate the Cumulative Impact Analysis and Site Suitability Criteria guidance. The Siting Board issued draft proposed regulations on Cumulative Impact Analysis and Site Suitability Criteria for discussion purposes on October 31, 2025. Siting Board staff, along with staff from OEJE, conducted a virtual webinar on November 6, 2025, and accepted written comments on the draft proposed regulations and guidance. Based on comments received, Siting Division staff revised the draft proposed regulations. On December 15, 2025, the Siting Board heard staff presentations on the revised regulations proposals, and voted to open a formal rulemaking process. On December 19, 2025, the Siting Board issued a Final Decision to open a formal rulemaking, under the existing docket EFSB 25-10, on new regulations 980 CMR 15.00, Cumulative Impact Analysis and Standards for Applying Site Suitability Criteria.

Instructions for Filing Written Comments

Written comments on the Siting Board's proposed regulations, docket EFSB 25-10-A, must be sent to the following two email addresses: dpu.efiling@mass.gov and sitingboard.filing@mass.gov. Written comments are due by 5:00 pm, **Friday, February 13, 2026**. The text of the e-mail must specify: (1) the docket number of the proceeding (EFSB 25-10-A); (2) the name of the person or entity submitting the filing; and (3) a brief description of the document. The email should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. Written comments will be posted to the Siting Board file room and accessible for the public to view.

Accommodation Requests and Language Services Requests

Interpretation services for the public comment hearings (in-person and Zoom) will be provided in Spanish, Portuguese, Chinese, Haitian Creole, Vietnamese, and American Sign Language (ASL). Additional language interpretation services are also available upon request to Yonathan Mengesha at (617) 305-3544 or Yonathan.Mengesha@mass.gov. Include in your request the language required and your contact information. To assist us in accommodating your request, please submit it as soon as possible, and at least one week before the public comment hearing date.

Reasonable accommodations for people with disabilities (e.g., Braille, large print, electronic files, audio format) are available upon request. To request an accommodation, please contact:

Melixza Esenye

Non-Discrimination Coordinator and Director of Diversity, Equity, and Inclusion

Massachusetts Executive Office of Energy and Environmental Affairs
Human Resources, 9th Floor

100 Cambridge Street, Boston, MA 02114
eeadiversity@mass.gov, 617-626-1282

In your communication, state the accommodation you need and why you need the accommodation. Provide contact information in case the Coordinator needs more information. Provide your request as soon as possible. The Coordinator will consider but may not be able to fulfill late requests.

Non-discrimination Notice

The Siting Board does not discriminate on the basis of race, color, national origin, disability, age, sex, income, ethnicity, class, disability, religious creed or belief, gender identity, sexual orientation, genetic information, English language proficiency or ancestry in administration of its programs or activities. See the Siting Board's Non-Discrimination Notice at: <https://www.mass.gov/info-details/efsb-non-discrimination-notice-and-grievance-procedure>. If you have any questions about this notice or any of the Siting Board's non-discrimination programs, policies, or procedures or believe the Siting Board has discriminated against you, you may contact Melixza Esenyie (see above for contact information) for more information.

Contacts

For further information about the public comment hearings or proposed regulations, please send an email to sitingboard.filing@mass.gov. For periodic updates, please visit the Siting Board's webpage at: <https://www.mass.gov/info-details/efsb-25-10-proposed-rulemaking>.

Small Business Impact Statement
(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No:980 CMR 15.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

- **Will small businesses have to create, file, or issue additional reports?**
No. The regulation does not directly address requirements for small businesses but there are no additional reporting requirements established in the regulations.
- **Will small businesses have to implement additional recordkeeping procedures?**
No. The regulation does not directly address requirements for small businesses but does not impose additional recordkeeping requirements.
- **Will small businesses have to provide additional administrative oversight?**
No. The regulation does not directly address requirements for small businesses but does not impose any additional administrative oversight requirements.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. The regulation does not directly address requirements for small businesses but should not result in a need to hire additional employees.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No. The regulation does not directly address requirements for small businesses but should not result in a need to hire additional support professionals.
- **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 directly address requirements for small businesses does not require the purchase of any product or capital investments for compliance.
- **Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?**
(Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)
No. The regulation requires Applicants and Petitioners to identify, consider, and address the Cumulative Impact of a Project in burdened communities. However, CIA is one aspect of the Board's evaluation of a Project's overall impacts. Nothing in 980 CMR 15.00 limits the Board's consideration of the full range of Project Impacts (e.g., ecological, historical/archaeological resources, tree canopy cover, constructability, etc.) and geographical areas outside the Burdened Areas as defined in 980 CMR 15.00 when evaluating energy projects.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
No. No other regulations conflict with the proposed EFSB rule.
- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
No. The regulation does not directly address requirements for small businesses but does not alter the status quo regarding audits, inspections or other regulatory enforcement activities.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**

No. The regulation does not directly address requirements for small businesses but does not impose any requirement on businesses for providing educational services to keep up to date with regulatory requirements.

- **Is the regulation likely to *deter* the formation of small businesses in Massachusetts?**

No. This regulation could result in additional downstream opportunities for job creation for small business subcontracted for work by utility and other energy companies.

- **Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?**

No. The regulation does not directly address requirements for small businesses but could result in additional downstream opportunities for job creation for small business subcontracted for work by utility and energy companies.

- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**

No. The regulation does not directly address requirements for small businesses but is not expected to change reporting requirements for small businesses.

- **Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**

No. The regulation does not directly address requirements for small businesses, but should not change schedules or deadlines for compliance or reporting requirements.

- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**

No. The regulation does not directly address requirements for small businesses, but will consolidate compliance requirements by issuing all permits and approvals in a single consolidated permit by the EFSB.

- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**

No. The regulation does not directly address requirements for small businesses but uses performance standards that will not hinder delivery of regulatory objectives.

- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**

No. There is no anticipated adverse impacts on small businesses.