

NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 26-30

February 27, 2026

Investigation by the Department of Public Utilities, On Its Own Motion, Instituting a Rulemaking Pursuant to G.L. c. 164, §§ 69G to 69W, inclusive; G.L. c. 30A, § 2; and 220 CMR 2.00, to establish 220 CMR 32.00.

On February 13, 2026, the Department of Public Utilities (“Department”), issued an Order commencing a rulemaking proceeding, pursuant to G.L. c. 30A, § 2 and 220 CMR 2.00, for the purpose of adopting EFSB Application Fees consistent with the requirements of the 2024 Climate Act. The Department docketed this matter as D.P.U. 26-30.

A copy of the Department’s Order and Proposed EFSB regulations will be available on the Department’s website as soon as practicable at <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter “26-30”).

The Department will conduct a virtual public hearing to receive comments on the rulemaking. During the public hearing, any member of the public will be able to provide comments. The Department will conduct a public hearing using Zoom video conferencing on April 1, 2026, beginning at 10:00 a.m. Attendees can join by entering the link, <https://us06web.zoom.us/j/81371362036>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearing, attendees can dial in at +1 646 558 8658 (not toll free) and then enter the Webinar ID number: 813 7136 2036. If you anticipate providing comments via Zoom during the public hearing, please send an email by March 31, 2026 to timothy.federico@mass.gov and amelia.gianetta4@mass.gov with your name, email address, and mailing address. Alternatively, any person who desires to provide written comment on this matter may submit their comments to the Department no later than the close of business (5:00 p.m.) on March 25, 2026, and reply written comments no later than close of business (5:00 p.m.) on April 8, 2026. The Department seeks comments on the following topics:

1. Possible alternative fee structures, such as additional tiering of fee levels and calculation of fees based on criteria such as megawatt (“MW”) capacity of the facility or a percentage of construction cost of the facility.
2. Whether the Department should assess Application Base Fees to utility applicants for Consolidated Permits (other than for clean transmission and distribution infrastructure facilities) as well as non-CEIF legacy Facilities, notwithstanding the fact that said companies are subject to annual assessments pursuant to G.L. c. 25, § 18.

Written comments from the public may be sent by email to dpu.efiling@mass.gov, timothy.federico@mass.gov, and amelia.gianetta4@mass.gov. Please note that in the interest of transparency, any comments are posted to our website as received and without redacting personal

information, such as addresses, telephone numbers, or email addresses. As such, consider the extent of the information that you wish to share when submitting public comments. The Department strongly encourages public comments to be submitted by email. If, however, a member of the public is unable to send written comments by email, a paper copy may be sent to Peter Ray, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts 02110.

A document should be submitted to the Department in .pdf format by email attachment to dpu.efiling@mass.gov, timothy.federico@mass.gov, and amelia.gianetta4@mass.gov. The text of the email must specify: (1) the docket number of the proceeding (D.P.U. 26-30); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The email must also include the name, title, and telephone number of a person to contact in the event of questions about the filing. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be separated into electronic files that do not exceed 20 MB. All documents submitted in electronic format will be posted on the Department's website: <https://eeaonline.eea.state.ma.us/DPU/Fileroom> (enter "26-30").

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at eeadiversity@mass.gov or (617) 626-1282.

The Department will conduct one virtual public comment hearing on April 1, 2026, to receive comments on the rulemaking. Interpretation will be provided in Spanish, Portuguese, Chinese (Mandarin), Haitian Creole, Vietnamese and American Sign Language (ASL). Additional language interpretation services are available upon request to dpu.ej@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.

By Order of the Department,

/s/ Peter Ray

Peter Ray, Secretary

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

CMR No: 220 CMR 32.00

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

Select Yes or No and Briefly Explain

- **Will small businesses have to create, file, or issue additional reports?**
N/A. The regulation does not apply to small businesses.
- **Will small businesses have to implement additional recordkeeping procedures?**
N/A. The regulation does not apply to small businesses.
- **Will small businesses have to provide additional administrative oversight?**
N/A. The regulation does not apply to small businesses.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
N/A. The regulation does not apply to small businesses.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
N/A. The regulation does not apply to small businesses.
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**
N/A. The regulation does not apply to small businesses.
- **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.)
N/A. The regulation does not apply to small businesses.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
N/A. The regulation does not apply to small businesses.
- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
N/A. The regulation does not apply to small businesses.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**
N/A. The regulation does not apply to small businesses.
- **Is the regulation likely to *deter* the formation of small businesses in Massachusetts?**
N/A. The regulation does not apply to small businesses.
- **Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?**
N/A. The regulation does not apply to small businesses.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**
N/A. The regulation does not apply to small businesses.
- **Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**
N/A. The regulation does not apply to small businesses.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**
N/A. The regulation does not apply to small businesses.

- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**
N/A. The regulation does not apply to small businesses.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**
N/A. The regulation does not apply to small businesses.