



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 26-54

July 21, 2026

Investigation of the Department of Public Utilities, on its own motion, instituting a rulemaking pursuant to G.L. c. 30A, § 2, and 220 CMR 2.00, to amend 220 CMR 151.00: Rail Fixed Guideway System: System Safety Program Standard.

On July 31, 2026, the Department of Public Utilities ("Department") issued an Order instituting a rulemaking proceeding, pursuant to G.L. c. 30A, § 2, and 220 CMR 2.00, to amend 220 CMR 151.00, "Rail Fixed Guideway Systems: System Safety Program Standard." The Department docketed this matter as D.P.U. 26-54.

The Department proposes changes and additions to clarify certain provisions, ensure consistency both with federal regulations and within the regulations themselves, correct minor errors, update references, and delete outdates, duplicative, or unnecessary information. A copy of the Department's Order Instituting Rulemaking and Proposed Regulations may be viewed at the Department's website as referenced below.

The Department will conduct a hybrid public hearing to receive comments on the rulemaking. The Department will conduct the public hearing in person at the Department's Boston office located at One South Station, 3rd Floor, Boston, MA 02110, on **Tuesday, September 22, 2026**, beginning at **10:00 a.m.** Simultaneously, the Department will conduct the public hearing using Zoom videoconferencing. Attendees can join by entering the link, <https://us06web.zoom.us/j/84073225821>, from a computer, smartphone, or tablet. No prior software download is required. For audio-only access to the hearing, attendees can dial in at 1-646-558-8656 (not toll free) and then enter ID# **840 7322 5821**. If you anticipate providing comments via Zoom during the public hearing, please send an email by Friday, September 18, 2026, to Kate.E.Timberlake@mass.gov with your name, email address, and mailing address, or leave a voicemail message Friday, September 18, 2026, at 857-505-1119 with your name, telephone numbers, and mailing address. Individuals attending the in-person hearing will be asked to register at the hearing if they wish to provide public comment but may also register in advance using one of the methods listed above.

Alternatively, any person who desires to provide written comments on this matter may submit their comments to the Department no later than the close of business (5:00 p.m.) on **Monday**,

September 21, 2026, and reply written comments no later than the close of business (5:00 p.m.) on **Wednesday, September 30, 2026**. All written comments should be submitted in electronic format by e-mail attachment to the Department to the following distribution list: dpu.efiling@mass.gov and Kate.E.Timberlake@mass.gov. The text of the email must specify: (1) the docket number of the proceeding (D.P.U. 26-54); (2) the name of the person, entity, or company submitting the filing; and (3) a brief descriptive title of the document. The e-mail must also include the name, title, e-mail, and telephone number of a person to contact in the event of a question about the filing. The electronic attachment file name should identify the document but should not exceed 50 characters in length.

All documents submitted in electronic format will be posted on the Department's website as soon as practicable. DPU will post docket material on its website at: <https://eeaonline.eea.state.ma.us/dpu/fileroom/#/dashboard> (enter "26-54"). Please note that in the interest of transparency, any comments will be posted to our website as received and without redacting personal information, such as address, telephone number, or email address. As such, please consider the extent of information you wish to share when submitting 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 A. Ray, Secretary, DPU, One South Station, 3rd Floor, Boston, MA 02110.

A summary of the proposed regulations is available in Spanish, Portuguese, Chinese, Haitian Creole, Vietnamese, or other languages upon request. Interpretation will be provided in Spanish, Portuguese, Chinese, Haitian Creole, Vietnamese, or other languages upon request. To request translation or interpretation in a language other than English, please contact Paralegal Specialist Kaylee Burgess at dpu.ej@mass.gov no later than Tuesday, September 15, 2026.

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 the Department's ADA coordinator at eeadiversity@mass.gov or 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. Please provide your request as soon as possible. The coordinator will consider but may not be able to fulfill late requests.

For further information regarding this Notice, please contact Kate Timberlake, Hearing Officer, Department of Public Utilities via e-mail at Kate.E.Timberlake@mass.gov.

Small Business Impact Statement

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

CMR No: 220 CMR 151.00

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

- **Will small businesses have to create, file, or issue additional reports?**
No. 220 CMR 151.00 does not impact small businesses.
- **Will small businesses have to implement additional recordkeeping procedures?**
No. 220 CMR 151.00 does not impact small businesses.
- **Will small businesses have to provide additional administrative oversight?**
No. 220 CMR 151.00 does not impact small businesses.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. 220 CMR 151.00 does not impact small businesses.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No. 220 CMR 151.00 does not impact 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?**
No. 220 CMR 151.00 does not impact 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.)
No. 220 CMR 151.00 does not impact small businesses. In addition, the regulation includes performance standards in certain sections, and in other sections performance standards are not more appropriate than design/operational standard in accomplishing the regulatory objective.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
No. 220 CMR 151.00 does not impact small businesses. Other regulations do not duplicate or conflict with the proposed regulations.
- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
No. 220 CMR 151.00 does not impact small businesses.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**
No. 220 CMR 151.00 does not impact small businesses.
- **Is the regulation likely to *deter* the formation of small businesses in Massachusetts?**
No. 220 CMR 151.00 does not impact small businesses.
- **Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?**
No. 220 CMR 151.00 does not impact small businesses. To the extent small businesses are attracted to a region in part by safe and convenient public transportation systems for its employees and customers, these regulation amendments may help encourage the formation or relocation of small businesses in Massachusetts.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**
No. 220 CMR 151.00 does not impact small businesses.

- **Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**
No. 220 CMR 151.00 does not impact small businesses.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**
No. 220 CMR 151.00 does not impact small businesses.
- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**
No. 220 CMR 151.00 does not impact small businesses.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**
No. 220 CMR 151.00 does not impact small businesses.