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DAVID S. ROSENZWEIG
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December 22, 2021

Mark D. Marini, Secretary
Department of Public Utilities
One South Station
Boston, MA 02110

Re: NSTAR Electric Company d/b/a Eversource Energy and New England Power Company
d/b/a National Grid, D.P.U. 21-149

Dear Mr. Marini:

NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) and New England Power Company d/b/a National Grid (“National Grid”) (together, the “Companies”) file herewith their petition, pursuant to G.L. c. 164, § 72 (“Section 72 Petition”), seeking approval from the Department of Public Utilities (the “Department”) to construct, operate and maintain an approximately 12.1-mile 115-kilovolt (“kV”) primarily overhead electric transmission line along existing rights-of-way (“ROW”) between Eversource’s Industrial Park Tap in Acushnet, Massachusetts and National Grid’s Bell Rock Substation in Fall River, Massachusetts (the “New Line”).¹ This work, along with limited work at three existing substations, is referred to as the Acushnet to Fall River Reliability Project, or the “Project.”

Also, on this date, the Companies are filing with the Energy Facilities Siting Board (the “Siting Board”) a petition for approval to construct, operate and maintain the Project under G.L. c. 164, § 69J (the “Section 69J Petition”), which has been docketed as EFSB 21-04. The Section 69J Petition, in combination with the Section 72 Petition, demonstrate that, consistent with G.L. c. 164, § 72, the Project is needed, will serve the public convenience, and is consistent with the public interest.

In order to ensure a coordinated and timely review of the interrelated petitions, the Companies request that: (1) the Chair of the Department refer to the Siting Board the Section 72 Petition; (2) the Siting Board accept for review the Section 72 Petition; and (3) the review of each petition be consolidated into one proceeding before the Siting Board. Accordingly, enclosed is a Motion to Refer the Section 72 Petition to the Siting Board for a consolidated review with the Companies’ Section 69J Petition.

¹ Of the New Line, 7.9 miles will be in Acushnet, New Bedford, and Dartmouth and will be owned and operated by Eversource; 4.2 miles will be in Fall River and will be owned and operated by National Grid.

Notices of Appearance of Counsel are being filed with the Section 69J Petition. In addition to the Section 72 Petition, the Companies are providing the following herewith:²

- Completed Section 72 Checklist;
- Draft MEPA Section 61 Findings; and
- Filing fee of \$100.

In accordance with statutory requirements, the Companies has forwarded a copy of the Section 69J and Section 72 Petitions to the municipal clerks of Acushnet, New Bedford, Dartmouth, and Fall River.

Thank you for your attention to this matter.

Very truly yours,



David S. Rosenzweig

Enclosures

cc: Jonathan Goldberg, Chief Legal Officer, Department of Public Utilities
Andrew Greene, Executive Director, Energy Facilities Siting Board
Joan Foster Evans, General Counsel, Energy Facilities Siting Board

²

A consolidated Draft Notice of Public Hearing (hard copy and electronic version in MS Word format) is being provided with the Companies' Section 69J Petition and is premised on the expectation that the review of the Section 72 Petition will be referred to the Siting Board and consolidated with the Section 69J Petition for review.

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Petition of NSTAR Electric Company d/b/a)	
Eversource Energy and New England Power)	
Company d/b/a National Grid for Approval to)	D.P.U. 21-149
Construct, Operate and Maintain a New 115-kV)	
Transmission Line in Acushnet, New Bedford,)	
Dartmouth and Fall River Pursuant to)	
G.L. c. 164, § 72)	
)	

Now comes NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) and New England Power Company d/b/a National Grid (“National Grid”), seeking a determination from the Department of Public Utilities (the “Department”) that, pursuant to G.L. c. 164, § 72 (“Section 72”), the Companies’ proposal to construct, operate and maintain an approximately 12.1-mile 115-kilovolt (“kV”) primarily overhead electric transmission line along existing rights-of-way (“ROW”) between Eversource’s Industrial Park Tap in Acushnet, Massachusetts and National Grid’s Bell Rock Substation in Fall River, Massachusetts (the “New Line”)¹ is necessary, serves the public convenience and is consistent with the public interest (the “Section 72 Petition”). In conjunction with the New Line, National Grid and Eversource will be performing work at three existing substations. National Grid will be performing protection and control upgrades, including installation of a line trap and tuner, at the Bell Rock Substation in Fall River to complete the termination for the New Line and Eversource will be implementing

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protection and control upgrades at its Tremont Substation in Wareham and its Acushnet Substation in Acushnet (the “Station Work”). The New Line, together with the Station Work, is referred to as the Acushnet to Fall River Reliability Project, or the “Project.” In support thereof, the Company states as follows:

1. Eversource, with a principal place of business at 800 Boylston Street, 17th Floor, Boston, Massachusetts 02199, is an electric company as defined by G.L. c. 164, § 1 and, therefore, is authorized to transmit electricity. See NSTAR Electric Company d/b/a Eversource Energy, EFSB 19-03/D.P.U. 19-15, at 104-05 (2021) (“Eversource Andrew Sq./Dewar”); NSTAR Electric Company d/b/a Eversource Energy, EFSB 17-02/D.P.U. 17-82/17-83, at 221 (2019) (“Eversource Sudbury-Hudson”); NSTAR Electric Company d/b/a Eversource Energy, EFSB 16-02/D.P.U. 16-77, at 77-78 (2018) (“Eversource West Roxbury-Needham”); NSTAR Electric Company d/b/a Eversource Energy and New England Power Company d/b/a National Grid, EFSB 15-04/D.P.U. 15-140/15-141, at 151-52 (2018) (“Eversource/NEP Woburn-Wakefield”).

2. National Grid, with a principal place of business at 40 Sylvan Road, Waltham, MA, 02451, is an electric company as defined by G.L. c. 164, § 1 and, therefore, is authorized to transmit electricity. See New England Power Company d/b/a National Grid, EFSB 19-04/D.P.U. 19-77/19-78, at 129-31 (2021) (“NEP Beverly-Salem”); New England Power Company d/b/a National Grid, D.P.U. 19-16, at 5-6 (2020) (“NEP Golden Rock”).

3. The Companies are represented by David S. Rosenzweig, Esq., and Michael J. Koehler, Esq., Keegan Werlin LLP, 99 High Street, Suite 2900, Boston, MA 02110. National Grid is represented by Marisa L. Pizzi, Senior Counsel, 40 Sylvan Road, Waltham, MA 02451.

4. The New Line satisfies the Department’s standards under Section 72 because the Project is needed and will serve the public interest by increasing the reliability of the Companies’

transmission system in the Southeastern Massachusetts – Rhode Island (“SEMA-RI”) area.

5. As described above, the New Line will be constructed within an existing ROW held by the Companies and currently used for transmission purposes. The existing transmission ROW varies from 150- to 210-feet wide. From the Industrial Park Tap west to the Industrial Park Substation (approximately 4.2 miles), there is one existing 115-kV transmission line located in the ROW on single circuit H-frame structures and collocated with an existing distribution line. This section of ROW is approximately 210 feet wide. The existing 115-kV transmission line continues west from the Industrial Park Substation to the High Hill Switching Station in Dartmouth (approximately 2.4 miles), also on single circuit H-frame structures and collocated with an existing distribution line. The ROW from Industrial Park Substation west to High Hill Switching Station is approximately 150 feet wide. From the High Hill Switching Station west to the Bell Rock Substation (approximately 5.4 miles), the existing 115-kV transmission line is located on single circuit H-frame structures within an approximately 150-foot-wide ROW, and transitions from Eversource territory to National Grid territory at the Dartmouth/Fall River municipal border.

6. The New Line is to be constructed predominantly overhead, except for the construction of two short sections of underground cable (a total of approximately 600 linear feet) to be installed to avoid multiple overhead line crossings at the Industrial Park Tap and at the High Hill Switching Station. There will be no changes to the existing 115-kV transmission lines or structures located within the existing ROW.

7. Simultaneously herewith, the Company is also filing: (a) a petition to the Energy Facilities Siting Board (the “Siting Board”) requesting approval of the construction of the Project pursuant to G.L. c. 164, § 69J (the “Section 69J Petition”) (EFSB 21-04); and (b) a motion with

the Department to refer this Section 72 Petition to the Siting Board and to consolidate each of the petitions for review by the Siting Board.

8. Pursuant to G.L. c. 164, § 72, an electric company seeking approval to construct a transmission line must file a petition with the Department for:

[A]uthority to construct and use or to continue to use as constructed or with altered construction a line for the transmission of electricity for distribution in some definite area or for supplying electricity to itself or to another electric company or to a municipal lighting plant for distribution and sale . . . and shall represent that such line will or does serve the public convenience and is consistent with the public interest . . . The department, after notice and a public hearing in one or more of the towns affected, may determine that said line is necessary for the purpose alleged, and will serve the public convenience and is consistent with the public interest.

9. In making a determination under G.L. c. 164, § 72, the Department considers all aspects of the public interest. Boston Edison Company v. Town of Sudbury, 356 Mass. 406, 419 (1969); Eversource Andrew Sq./Dewar at 104; NEP Beverly-Salem at 129; Eversource Sudbury-Hudson at 219; NEP Golden Rock at 6; Eversource West Roxbury-Needham at 77; Eversource/NEP Woburn-Wakefield at 152; NSTAR Electric Company, D.P.U. 13-177/13-178, at 41 (2015) (“NSTAR Seafood Way”); NSTAR Electric Company, D.P.U. 13-126/13-127, at 40 (2014) (“NSTAR Electric Avenue”). All factors affecting any phase of the analyses performed by a company in connection with the public interest and public convenience are weighed fairly by the Department in a determination under G.L. c. 164, § 72. Town of Sudbury v. Department of Public Utilities, 343 Mass. 428, 430 (1962).

10. In evaluating petitions filed under G.L. c. 164, § 72, the Department examines: (1) the need for, or public benefits of, the present or proposed use; (2) the environmental impacts or any other impacts of the present or proposed use; and (3) the present or proposed use and any alternatives identified. Eversource Andrew Sq./Dewar at 104; NEP Beverly-Salem at 130;

Eversource Sudbury-Hudson at 219; NEP Golden Rock at 6; Eversource West-Roxbury-Needham at 77-78; Eversource/NEP Woburn-Wakefield at 152; NSTAR Seafood Way at 41; NSTAR Electric Avenue at 40. In determining whether a proposed project is reasonably necessary for the public convenience or welfare, the Department balances the interests of the general public against the local interests and determines whether the line is necessary for the purpose alleged and will serve the public convenience and is consistent with the public interest. Id. The Department undertakes “a broad and balanced consideration of all aspects of the general public interest and welfare and not merely [make an] examination of the local and individual interests that might be affected.” New York Central Railroad v. Department of Public Utilities, 347 Mass. 586, 592 (1964).

11. The Section 69J Petition, including its Attachment A, a document entitled *Acushnet to Fall River Reliability Project – Analysis to Support the Petition Before the Energy Facilities Siting Board* (the “Analysis”), is incorporated herein by reference and made a part hereof. The Project is more particularly described in Section 1 of the Analysis. The Analysis provides the factual basis for the Companies’ conclusion that the Project meets the consistent standards of the Siting Board and Department under G.L. c. 164, §§ 69J and 72, respectively, because the Project is necessary to provide a reliable energy supply for the Commonwealth while minimizing cost and environmental impacts.

12. The need for the Project was first identified in ISO-NE’s “Southeastern Massachusetts and Rhode Island Area 2026 Solutions Study” (“2026 Solutions Study”), issued in March 2017. The continuing need for the Project was confirmed in ISO-NE’s “Southeastern and Rhode Island Area 2029 Needs Assessment Update” (“2029 Needs Update”), issued in October 2020 and based on ISO-NE’s 2020 Capacity, Energy, Loads and Transmission

(“CELT”) Report forecasts. As discussed more fully in Section 2, the Project addresses the potential for thermal overloads and emerging voltage concerns on the Companies’ systems. These system reliability needs are immediate and require resolution by the Companies to maintain a reliable system in the Southeastern Massachusetts and Rhode Island (“SEMA-RI”) Area.

13. The Companies comprehensively identified and analyzed various alternatives to address the identified needs for the Project. In order to determine the approach that best balances reliability, cost, and environmental impact, the Companies evaluated a series of project approach alternatives for their potential to address the needs identified. Section 3 of the Analysis describes the detailed analyses undertaken by the Companies to identify and evaluate alternative means to address the needs identified in Section 2, including: (1) a No-Action Alternative; (2) transmission alternatives; and (3) non-transmission alternatives (“NTAs”) such as new generation, energy efficiency, demand response programs, solar and battery storage systems, and distributed generation. As described in Section 3 of the Analysis, the Companies’ analyses show that construction of the Project is the best approach to meeting the identified need based on a balancing of reliability, cost, and environmental impacts.

14. The Companies also undertook a thorough and objective analysis to identify the preferred Project route, which included an evaluation of environmental impacts, reliability, and cost of various potential routes. The Project routing options that were considered are described in Section 4 of the Analysis.

15. The Companies have conducted detailed analyses of the environmental impacts of the Project, has identified the relevant impacts and has proposed measures to minimize impacts associated with the construction and operation of the Project. Overall, the Companies’ analysis demonstrates that the Project will achieve an appropriate balance among conflicting

environmental concerns as well as among environmental impacts, reliability, and cost. Comprehensive information regarding the minimization of impacts is set forth in Section 5 of the Analysis.

16. As required under Section 72, and in support of this Petition, a description of the Project and an estimate of its costs are included in the Analysis. The Department's Section 72 Checklist is provided as Attachment A to this Petition and a draft hearing notice (including an electronic version in MS Word format) is being provided along with the Section 69J Petition. In further compliance with the Department's Section 72 Checklist, USGS locus maps and diagrams of the proposed transmission line routes can be found in Sections 1, 4 and 5 of the Analysis. A list of all permits required for the Project is found in Section 6 of the Analysis. Lastly, a copy of the Companies' Expanded Environmental Notification Form ("EENF") submitted pursuant to the Massachusetts Environmental Policy Act on November 15, 2018, as well as the Certificate of the Secretary of Energy and Environmental Affairs on the EENF dated December 28, 2018, are provided as Appendix 1-1 and Appendix 1-2, respectively, of the Analysis.

WHEREFORE, the Companies respectfully request that the Department (or, as appropriate, the Siting Board), pursuant to G.L. c. 164, § 72, and after due notice and a public hearing, determine that the construction of the Project is necessary for the purposes stated, will serve the public convenience and will be consistent with the public interest, and thus, authorize the Company to construct and operate the Project.

Respectfully Submitted,

**NSTAR ELECTRIC COMPANY d/b/a
EVERSOURCE ENERGY and NEW ENGLAND
POWER COMPANY d/b/a NATIONAL GRID**

By their attorneys,



David S. Rosenzweig, Esq.
Michael J. Koehler, Esq.
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(617) 951-1400

-and-



Marisa L. Pizzi, Esq.
National Grid USA Service Company, Inc.
d/b/a National Grid
40 Sylvan Road
Waltham, MA 02451
(781) 907-2114

Dated: December 22, 2021

**DEPARTMENT OF PUBLIC UTILITIES
CHECKLIST FOR REQUESTING AUTHORIZATION TO CONSTRUCT AN
ELECTRIC TRANSMISSION LINE PURSUANT TO G.L. c. 164, § 72**

The following checklist is intended to serve as guidance for persons filing petitions pursuant to G.L. c. 164, § 72 for authority to construct an electric transmission line, or to take land by eminent domain for the construction of an electric transmission line. Petitioners seeking authority to construct an electric transmission line must complete Parts 1, 2 and 3 of this form and submit a copy of the completed form with the petition at the time of filing. Petitioners seeking authority to take land by eminent domain for a transmission project also must complete Part 4 of this form.

PART 1: GENERAL INFORMATION

Petitioner name: *NSTAR Electric Company d/b/a Eversource Energy and New England Power Company d/b/a National Grid*

Description of proposed transmission line and route: *The Companies propose to construct a new approximately 12.1-mile 115-kilovolt ("kV") primarily overhead electric transmission line along existing rights-of-way between Eversource's Industrial Park Tap in Acushnet, Massachusetts and NEP's Bell Rock Substation in Fall River, Massachusetts, through portions of Acushnet, New Bedford, Dartmouth and Fall River.*

Seeking eminent domain authority: Yes ☒ No ☐

PART 2: CONTENTS OF PETITION

The petition must contain, at a minimum, the following information:

- A description of the proposed transmission line (voltage, above or below ground, height and type of structures to be used if above ground) and the anticipated route.
- An explanation of the purpose of the transmission line, and a discussion of the public interest or convenience that would be served by the construction and operation of the transmission line, with a supporting analysis and a description of the methods used to develop this analysis.
- A description of alternatives to the transmission line project, including (but not limited to) upgrades to existing transmission lines and substations.
- An analysis of the environmental or other impacts of the transmission line, during both construction and operation. This analysis could include, without limitation, impacts on land use along or near the route, on water, wetlands and habitat resources along or near the route, visual and noise considerations, traffic and access considerations, public safety considerations, or the use of hazardous substances.
- A list of all permits required for construction of the transmission line.

NOTE: All information provided in the petition must be adopted by witnesses who will be able to testify and respond to questions at evidentiary hearings. Such adoption may occur subsequent to the filing of the petition. The petitioner should be prepared to identify which witness will adopt which part of the petition no later than three weeks after the petition is filed.

PART 3: ATTACHMENTS

The following documents must be submitted with the petition:

- A United States Geological Survey map (1:24,000 or 1:25,000 scale and in color) of the area, showing the transmission line route.
- Diagrams of the transmission line route, showing all existing and proposed rights-of-way, representative views of the placement of existing and proposed transmission lines within the rights-of-way, and locations of water, wetland, and habitat resources within the surrounding area.
- Either: (1) a copy of the Environmental Notification Form (“ENF”) for the transmission project and the Certificate of the Secretary of Environmental Affairs on such ENF; or (2) an affidavit from the petitioner stating that the proposed use does not require the filing of an ENF. If an Environmental Impact Report (“EIR”) is required and has been submitted to the MEPA Office at the time of filing, a copy of the EIR(s) and any related Certificates also should be submitted with the petition.
- Draft MEPA Section 61 findings relating to the transmission project, if an EIR is required.
- A draft hearing notice (hard copy and on diskette in Microsoft Word or in WordPerfect 8.0 or higher).
- Filing fee: A check for \$100.00, made payable to Commonwealth of Massachusetts.

PART 4: ADDITIONAL REQUIREMENTS FOR EMINENT DOMAIN

The following additional documents must be submitted with the petition if the petitioner is seeking to take land or easements by eminent domain for the transmission line:

- A map of the transmission line route, showing the towns through which it will pass, the public ways, railroads, railways, navigable streams and tidewaters which it will cross, and the extent to which it will be located upon private land, or upon, under or along public ways and places.
- A description of each parcel or easement to be taken for the transmission project, together with the name and address of each affected property owner.

All information requested above has been included in this Petition and attachments submitted with this form, as well as with the Companies’ Section 69J Petition and attachments thereto.



Signature

December 22, 2021

Date

**Proposed Draft Section 61 Findings
Energy Facilities Siting Board
Department of Public Utilities**

ENERGY FACILITIES SITING BOARD AND DEPARTMENT OF PUBLIC UTILITIES

**FINDINGS PURSUANT TO
G.L. CHAPTER 30, SECTION 61**

PROJECT NAME:	Acushnet to Fall River Reliability Project
PROJECT LOCATION:	Acushnet, New Bedford, Dartmouth, and Fall River Massachusetts
PROJECT PROPONENTS:	NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) and New England Power Company d/b/a National Grid (“National Grid”)
EEA NUMBER:	15941
PERMITS SOUGHT:	G.L c. 164, §§ 69J, 72 – Petitions to Construct

I. Introduction

MEPA regulations 301 CMR 11.12(5) provide that, in accordance with G.L. c. 30, § 61, “any Agency that takes Agency Action on a Project for which the Secretary required an EIR shall determine whether the Project is likely, directly or indirectly, to cause any Damage to the Environment and make a finding describing the Damage to the Environment and confirming that all feasible measures have been taken to avoid or minimize the Damage to the Environment.” Section 61 Findings are to be incorporated into the conditions or restrictions to the relevant permit or authorization. The below proposed Section 61 Findings have been prepared by the Project Proponents and are intended to assist the Department of Public Utilities (the “Department”) in fulfilling its obligations in accordance with G.L. c. 30, § 61. These Findings are limited to the subject matter jurisdiction of the Petition for Determination of Public Necessity and Convenience pursuant to G.L. c. 164, § 72.

II. Project Description

The Acushnet to Fall River Reliability Project (“AFRRP” or the “Project”) is a joint endeavor by NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) and New England Power Company d/b/a National Grid (“National Grid”) (together, the “Companies”) and involves the installation of a new, primarily overhead, 115 kilovolt (“kV”) electric transmission line extending west from Eversource’s Industrial Park Tap in Acushnet to National Grid’s Bell Rock Substation in Fall River (the “New Line”), as well as limited work at three existing substations (the “Station Work”). The New Line involves the installation of approximately 12.1 miles of new 115-kV primarily overhead electric transmission line located within existing rights-of-way (“ROW”) currently occupied by several other 115-kV overhead electric transmission lines (the “New Line”). Of the 12.1 miles, approximately 7.9 miles are in Eversource service territory traversing Acushnet, New Bedford and Dartmouth, and approximately 4.2 miles are in National Grid service territory traversing Fall River. The Project is needed to resolve certain contingencies that could cause thermal overloads and low voltage issues, and to ensure the reliability of the electric transmission and distribution system in Southeastern Massachusetts and Rhode Island.

The New Line will be constructed within an existing ROW held by the Companies and currently used for electric transmission purposes. The existing transmission ROW varies from 150- to 210-feet wide. From the Industrial Park Tap west to the Industrial Park Substation in Acushnet (approximately 4.2 miles), there is one existing 115-kV transmission line located in the ROW on single circuit H-frame structures collocated with an existing distribution line. This section of ROW is approximately 210-feet wide. The existing 115-kV transmission line continues west from the Industrial Park Substation to the High Hill Switching Station in Dartmouth (approximately 2.4 miles), also on single circuit H-frame structures collocated with an existing distribution line. The ROW from Industrial Park Substation west to High Hill Switching Station in Dartmouth is approximately 150-feet wide. From the High Hill Switching Station west to the Bell Rock Substation in Fall River (approximately 5.4 miles), the existing 115-kV transmission line is located on single circuit H-frame structures within an approximately 150-foot-wide ROW, and transitions from Eversource territory to National Grid territory at the Dartmouth/Fall River municipal border.

The New Line is to be constructed predominantly overhead on new transmission structures, except for the construction of two short sections of underground cable (a total of approximately 600 linear feet) to be installed to avoid multiple overhead line crossings at the Industrial Park Tap and at the High Hill Switching Station. There will be no changes to the existing 115-kV transmission lines or structures located within the existing ROW.

As part of the Station Work to be performed in conjunction with the New Line, National Grid will be installing protection and control upgrades, including a line trap and tuner, at the Bell Rock Substation in Fall River and Eversource will implement protection and control upgrades at its Tremont Substation in Wareham and its Acushnet Substation in Acushnet. Work at the existing Tremont and Acushnet Substations will consist of limited underground conduit installation and/or be contained within the existing station control buildings.

Environmental impacts associated with the Project will be limited in nature because the Project will be contained within the existing ROW and within existing and previously disturbed substation sites. In three of the four municipalities traversed by the Project, the existing ROW already is cleared to nearly its full extent. However, tree removal will be required within the National Grid ROW in Fall River to expand the cleared ROW width approximately 60 feet to the south side of the ROW, resulting in approximately 27.5 acres of clearing. The tree removal is necessary to meet vertical and horizontal clearances for the proposed overhead line. No tree clearing or vegetation removal is to occur outside of existing utility easements or established access roads, with the exception of potential danger or hazard tree removal, which would involve selective tree removal. Conditions within the ROW consist of upland and wetland habitats that will continue to be maintained as low-growth communities in accordance with the National Grid Vegetation Management Plan.

The predominant wetland types in the Project area are scrub-shrub wetland within the existing cleared transmission line ROW and deciduous forested wetland communities in uncleared portions of the ROW. The Project ROW crosses the Acushnet River, Shingle Island River, Copicut River, the northern edge of the Copicut Reservoir and several other perennial and intermittent streams. National Grid has consulted with the Fall River Water Department regarding measures to avoid and minimize impacts to tributaries to the Copicut Reservoir. Temporary swamp mats will be used to minimize disturbance within wetland resource areas where vehicle and equipment access is necessary, and only a very limited amount of fill to build the structure foundations will be required for structures located within or proximate to wetland resource areas. The Massachusetts Natural Heritage & Endangered Species Program ("NHESP") has identified areas of known Priority and Estimated Habitat within the Project ROW and the Companies are

continuing to consult with NHESP to avoid impacts to listed species to the extent practicable. The Companies are consulting with the NHESP to determine if a Conservation and Management Permit is necessary.

To the extent feasible, transmission structure locations will be accessed directly from existing access routes within the ROW; upgrades to these access routes will be necessary at some locations to support safe vehicular passage. Off-ROW access routes will also be used to gain access onto the ROW, and the routes will be improved to allow for safe construction access. Crews will use public road crossings and other established access points to enter the transmission corridor. Land uses adjacent to the Preferred Route for the New Line are primarily comprised of upland forests, forested wetland and scrub-shrub wetland, old-field community, and single-family residential interspersed with areas of pasture/hay, multi-family residential grassland and developed open space (e.g., trails). The ROW crosses several local roadways as well as State Route 140 and State Route 18. The Project ROW traverses approximately 116 acres of land designated as Protected or Recreational Open Space. The Companies hold easements over these designated areas to operate, maintain and construct electric transmission facilities.

III. MEPA History

The Project will require several permits, including a consolidated approval issued by the Massachusetts Energy Facilities Siting Board in accordance with the requirements of G.L. c. 164, §§ 69J, 72.

Pursuant to G.L. c. 30, § 61 and 62 A-H of the Massachusetts Environmental Policy Act (“MEPA”) and its implementing regulations (301 CMR 11.00), the Companies submitted an Expanded Environmental Notification Form (“EENF”) to the MEPA Office on November 15, 2018. On November 21, 2018, the MEPA Office published notice of the EENF for public review in the *Environmental Monitor*, stating that public comments would be due on December 21, 2018. Following the public review and comment period, the Secretary issued on December 28, 2018 the Certificate on the EENF requiring the completion of a Single Environmental Impact Report (“SEIR”). The Companies expect to submit the SEIR in the 1st quarter of 2022.

IV. Project Impacts and Mitigation

The Siting Board will evaluate the Project to determine public necessity and environmental impacts. Mitigation measures proposed by the Companies and those recommended by the Siting Board will be determined through the Siting Board’s consolidated review process.

V. Findings

Based upon its review of the MEPA documents, the permit applications, and Massachusetts Regulations, the Siting Board finds that the terms and conditions to be incorporated into the “Final Decision” required for this Project constitute all feasible measures to avoid damage to the environment and will minimize and mitigate such damage to the maximum extent practicable for those impacts subject to the Siting Board’s authority. Implementation of the mitigation measures will occur in accordance with the terms and conditions set forth in the “Final Decision” on the Companies’ petitions for the proposed transmission line to describe more fully and ensure implementation of said measures.

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Petition of NSTAR Electric Company d/b/a)	
Eversource Energy and New England Power)	
Company d/b/a National Grid for Approval to)	D.P.U. 21-149
Construct, Operate and Maintain a New 115-kV)	
Transmission Line in Acushnet, New Bedford,)	
Dartmouth and Fall River Pursuant to)	
G.L. c. 164, § 72)	
)	

Now comes NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) and New England Power Company d/b/a National Grid (“National Grid”) (together, the “Companies”), seeking the referral of the above-captioned proceeding by the Department of Public Utilities (“Department”) to the Energy Facilities Siting Board (“Siting Board”) for review. In support thereof, the Companies state as follows:

1 Of the New Line, 7.9 miles will be in Acushnet, New Bedford, and Dartmouth and will be owned and operated by Eversource; 4.2 miles will be in Fall River and will be owned and operated by National Grid.

2. The New Line, which will travel through portions of Acushnet, New Bedford, Dartmouth, and Fall River, together with related improvements at three existing substations, are referred to herein as the Acushnet to Fall River Reliability Project, or the “Project.”

3. Also on this date, the Company filed with the Siting Board a petition for approval of the Project pursuant to G.L. c. 164, § 69J (the “Section 69J Petition”) (EFSB 21-04).

4. Consistent with Department precedent, the Companies request that the Section 72 Petition be referred to the Siting Board. By separate motion to the Siting Board, the Companies are requesting that, once referred, the Section 72 Petition be consolidated with the Section 69J Petition for the issuance of a consolidated order. New England Power Company d/b/a National Grid, EFSB 19-04/D.P.U. 19-77/19-78, at 5-6 (2021); NSTAR Electric Company d/b/a Eversource Energy, EFSB 19-03/D.P.U. 19-15, at 2 (2021); NSTAR Electric Company d/b/a Eversource Energy, EFSB 17-02/D.P.U. 17-82/17-83, at 4 (2019); NSTAR Electric Company d/b/a Eversource Energy, EFSB 16-02/D.P.U. 16-77, at 4 (2018); NSTAR Electric Company d/b/a Eversource Energy and New England Power Company d/b/a National Grid, EFSB 15-04/D.P.U. 15-140/15-141, at 4 (2018).

5. Consolidation of these matters is contemplated by G.L. c. 25, § 4, which states: “In order to promote efficiency in administration... [the chairman of the Department] may refer matters related to the need for, construction of, or siting of facilities, as defined in section sixty-nine G of chapter one hundred and sixty-four, as [the chairman] deems appropriate to the [Siting Board] in accordance with section 69H of chapter one hundred and sixty-four.” G.L. c. 164, § 69H states that the Siting Board may “accept for review and approval or rejection any application, petition, or matter related to the need for, construction

of, or siting of facilities referred to the chairman of the [D]epartment pursuant to section four of chapter twenty-five.”

6. Similarly, the Department “may order proceedings involving a common question of law or fact to be consolidated for hearing on any or all of the matters in issue in such proceedings.” 220 C.M.R. § 1.09.

7. The Companies’ Project meets the standards of the Siting Board and Department under G.L. c. 164, §§ 69J and 72, respectively, because these facilities are: (a) necessary to ensure a reliable energy supply with a minimum impact on the environmental at the lowest possible cost; and (b) needed and will serve the public interest by providing a necessary source of transmission in order to ensure the reliable and economic operation of the transmission grid on behalf of the Companies’ customers.

8. Each petition involves common questions of law and fact and referral for consolidation would further the interests of administrative efficiency.

WHEREFORE, Eversource and National Grid respectfully request that the Department refer the Section 72 Petition to the Siting Board for consolidation with the Section 69J Petition.

Respectfully Submitted,

**NSTAR ELECTRIC COMPANY d/b/a
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ENGLAND POWER COMPANY d/b/a
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