



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING, PUBLIC HEARING, AND PROCEDURAL CONFERENCE

D.P.U. 11-07

March 29, 2011

Petition of NSTAR Electric Company for approval by the Department of Public Utilities of: (1) a long-term contract to purchase wind power, renewable energy certificates and capacity, pursuant to St. 2008, c. 169, § 83, and 220 C.M.R. § 17.00 *et seq.*; and (2) a long-term renewable energy contract adjustment mechanism tariff, M.D.P.U. No. 164.

On February 18, 2011, NSTAR Electric Company ("NSTAR Electric" or "Company") filed a petition with the Department of Public Utilities ("Department") seeking approval, pursuant to St. 2008, c. 169, § 83 ("Section 83") and 220 C.M.R. § 17.00 *et seq.*, of a long-term contract to purchase wind power, associated renewable energy certificates ("RECs") and capacity. The proposed contract between the Company and Blue Sky East, LLC, is for the output of a 32.4 megawatt facility located in Eastbrook, Maine ("Blue Sky Wind facility"). The Company also seeks approval of a proposed tariff, M.D.P.U. No. 164, which provides for the recovery of costs associated with long-term contracts for renewable energy procured pursuant to Section 83.

Section 83 requires each electric distribution company to solicit proposals for long-term contracts of ten to 15 years in duration from renewable energy developers at least twice over a five-year period beginning on July 1, 2009, and, if the proposals received are reasonable, to enter into cost-effective long-term contracts to facilitate the financing of renewable energy generation. St. 2008, c. 169, § 83; 220 C.M.R. §§ 17.00 *et seq.* A long-term contract must be approved by the Department before it can become effective. St. 2008, c. 169, § 83; 220 C.M.R. § 17.03(2). The Department must take into consideration both the potential costs and benefits of such contracts and shall approve a contract only upon a finding that it is a cost-effective mechanism for procuring renewable energy on a long-term basis. St. 2008, c. 169, § 83; 220 C.M.R. § 17.05.

In accordance with Section 83, the electric distribution companies and the Department of Energy Resources jointly developed a request for proposals ("RFP") for the supply of renewable electric energy and RECs. On August 27, 2010, the Department approved the method of soliciting and executing long-term contracts, as well as the timetable, contained in the jointly proposed RFP. Fitchburg Gas and Electric Light Company et al., D.P.U. 10-76 (2010). On September 2, 2010, the electric distribution companies jointly issued the RFP. Of

good cause is shown for waiver under 220 C.M.R. § 1.01(4). Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed.

A petition for leave to intervene must satisfy the substantive requirements of 220 C.M.R. § 1.03. To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. Responses to petitions to intervene must be filed with the Department no later than the close of business (5:00 p.m.) on **April 21, 2011**.

Pursuant to G.L. c. 12, § 11E(b), full parties must be provided with an opportunity to comment on the necessity or desirability of the Attorney General's retention of an expert. Therefore, any person who seeks to intervene in this matter and also desires to comment on the Attorney General's notice of retention of experts and consultants must file the comments no later than the close of business (5:00 p.m.) on **April 14, 2011**.

The original of all documents must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station, 5th Floor, Boston, Massachusetts, 02110. In addition, two (2) copies of all documents filed with the Department must be sent to Shaela Collins, Hearing Officer, Department of Public Utilities, One South Station, 5th Floor, Boston, Massachusetts 02110. One (1) copy of all documents filed with the Department must also be sent to: (1) Robert J. Keegan, Esq., Keegan Werlin, LLP, 265 Franklin Street, Boston, MA, 02110-3113; and (2) Jamie Tosches DeMello, Assistant Attorney General, Office of Ratepayer Advocacy, One Ashburton Place, Boston, Massachusetts 02108.

All documents must also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@state.ma.us and the Hearing Officer, shaela.collins@state.ma.us; or (2) on a 3.5" disk or CD-ROM. The text of the e-mail, disk label, or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 11-07); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.

Copies of the filing and the Attorney General's notice of retention of experts and consultants are available for inspection during regular business hours at NSTAR Electric's offices, One NSTAR Way, Westwood, Massachusetts 02090, and on the Company's website: www.nstar.com. Copies are also available for inspection during regular business hours at the Department's offices, One South Station - 5th Floor, Boston, Massachusetts 02110, and on the Department's website, <http://www.mass.gov/dpu>, by accessing the File Room link.

For further information regarding the Company's filing, please contact the Company's counsel, Robert J. Keegan, at (617) 951-1400. For further information regarding the Attorney General's notice of retention of experts and consultants, please contact Jamie Tosches