



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

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August 22, 2024

VIA Email

James Avery, Esq.
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RE: Town of Bolton, D.P.U. 20-128

Dear Attorney Avery:

On November 18, 2020, the Town of Bolton (“Bolton” or “Town”), through its agent Colonial Power Group, Inc., filed with the Department of Public Utilities (“Department”) a petition for approval of a municipal aggregation plan (“Plan”) pursuant to G.L. c. 164, § 134(a). The Department conducted a public hearing on February 24, 2021, pursuant to a February 2, 2021 notice of filing, public hearing, and request for comments.¹

On July 9, 2024, the Department approved Municipal Aggregation Guidelines (“Guidelines”) in Municipal Aggregation Guidelines, D.P.U. 23-67-A. To align its previously filed Plan with the newly adopted Guidelines, Bolton filed a revised Plan on August 13, 2024.²

¹ The Department received one comment in opposition to Bolton’s municipal aggregation plan.

² On May 14, 2024, pursuant to a March 7, 2024 hearing officer memorandum, Bolton filed a revised Plan. This letter Order addresses the Town’s August 13, 2024 revised Plan.

General Laws c. 164, § 134(a) authorizes any municipality or group of municipalities to aggregate the electrical load of interested customers within its boundaries, provided that the load is not served by a municipal light plant. In D.P.U. 23-67-A, the Department approved Guidelines for municipal aggregation plan filings (both initial and annual reporting requirements). The Department held that a plan filing that complies with the Guidelines will satisfy the requirements set forth in G.L. c. 164, § 134(a). D.P.U. 23-67-A at 20.

More specifically, the Department reviews a filed plan to determine whether it includes the information required by the Guidelines (including supplemental information provided by the Town at the request of the Department). Guidelines, Section V.B. If, upon review, the Department finds that a filed plan includes all such information, the Department will approve a plan as filed. Conversely, if upon review, the Department finds that a filed plan does not include all the information required by the Guidelines, the Department will not approve such plan and will identify the information such plan must include to warrant Department approval.

Table 1, below, identifies the information required by each section of the Guidelines and the section(s) of the Town’s Plan (and accompanying filing letter) that includes the necessary information.

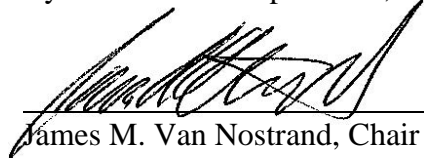
Table 1

Guidelines	Plan
Procedural	
III. Requirements	
A. Initiation of Process	Section III.A
B. Consultation with DOER	Section III.B
C. Public Review	Section III.C
IV. Plan Elements	
A. Organizational Structure	Section IV.A
B. Program Operations	
1. Statutory Requirements	
a. Universal Access	Section IV.B.1.a
b. Reliability	Section IV.B.1.b
c. Equitable Treatment of Customer Classes	Section IV.B.1.c
2. Procurement of Supply	Section IV.B.2
3. Product Information	Section IV.B.3
a. Rate Setting	
b. Renewable Energy Content	
c. Other Energy-Related Products and Services	
4. Other Funding/Costs	Section IV.B.4
5. Customer Enrollment	

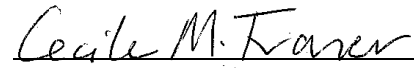
a. Initial Enrollment	Section IV.B.5.a
b. Ongoing Enrollment	Section IV.B.5.b
c. Opt-In Products	Section IV.B.5.c
6. Customer Notifications	
a. Opt-Out Notice	Section IV.B.6.a
b. Notification of Product Change	Section IV.B.6.b
c. Other Notifications	
i. General Program Information	Section IV.B.6.c.i
ii. Program Supplier Communication	Section IV.B.6.c.ii
7. Ongoing Program Information	Section IV.B.7
a. Updated Product Information	Section IV.B.7.a
b. Previous Year Program Information	Section IV.B.7.b
i. Product Information	
ii. Rate Component Information	
iii. Renewable Content Information	
c. General Product Information	Section IV.B.7.c
8. Termination of the Program	Section IV.B.8
C. Rights and Responsibilities of Program Participants	Section IV.C
V. Department Review	Section V
VI. Annual reports	Section VI
VII. Notification to EDCs	
A. Plan Filing	Section VII.A
B. Electric Supply Agreement	Section VII.B
VIII. Plan and Program Changes	
A. Plan Modifications	Section VIII.A
B. Program Consultant	Section VIII.B

Based on its review of the Town's Plan, the Department finds that the information included in the sections identified in Table 1 complies with the information requirements set forth in the applicable section of the Guidelines and, therefore, satisfies all requirements in G.L. c. 164, § 134(a).³ Accordingly, the Municipal Aggregation Plan filed by the Town of Bolton, as revised on August 13, 2024, is approved.

By Order of the Department,



James M. Van Nostrand, Chair



Cecile M. Fraser, Commissioner



Staci Rubin, Commissioner

³ The Department notes that the Town must comply with all of the requirements set forth in the Guidelines, even if the Plan did not specifically address a particular requirement.