

**COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD**

Petition of Hingham Municipal Lighting Plant	)	
Pursuant to G.L. c. 164, § 69J for Approval t to	)	
Construct a New Underground 115 kV Electric	)	EFSB 24-01
Transmission Line in Weymouth and Hingham,	)	
New Substation in Hingham, and a New Tap	)	
Station in Weymouth, Massachusetts	)	
Joint Petition of Hingham Municipal Lighting	)	
Plant and NSTAR Electric Company d/b/a	)	
Eversource Energy Pursuant to G.L. c. 40A, § 3	)	
for Individual and Comprehensive Exemptions	)	D.P.U. 24-135
from the Zoning By-law of the Town of	)	
Hingham and the Zoning Ordinance of the Town	)	
of Weymouth, Massachusetts	)	

**INTERVENOR, TOWN OF WEYMOUTH’S REPLY BRIEF TO JOINT PETITIONER’S
INITIAL BRIEF**

Now comes the Town of Weymouth (“Town”), Intervenor in the above entitled matter, and respectfully submits the following reply brief to the initial briefs submitted by Hingham Municipal Lighting Plant (“HMLP”) and NSTAR Electric Company d/b/a Eversource Energy (“NSTAR”) hereinafter referred to collectively as (“Joint Petitioners”).

A. Whether Joint Petitioners met the standards in G.L. c. 164

The parties agree that in order for the Siting Board to approve Joint Petitioner’s request to construct an energy facility pursuant to G.L. c. 164, § 69J, it must determine if the petition meets certain requirements, including that the plans for the construction of the applicant’s facilities are consistent with the policies stated in G.L. c. 164, § 69H that would provide a reliable energy

supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost. In carrying out its statutory mandate with respect to proposals to construct energy facilities in the Commonwealth, the Siting Board evaluates whether there is a need for additional energy resources to meet: (1) reliability objectives; (2) economic efficiency objectives; or (3) environmental objectives. Cited by HMLP, *Eversource Mid-Cape* at 10; *NSTAR Electric Company d/b/a Eversource Energy*, EFSB 19-03/D.P.U. 19-15, at 7 (2021) (“*Eversource Andrew-Dewar*”); *NEP Beverly-Salem* at 10; *Eversource Sudbury-Hudson* at 15.

HMLP takes the position that the additional energy resources associated with HMLP’s Project are needed to meet reliability objectives. See page 2 of HMLP Brief.

Town agrees with the Joint Petitioner’s position that in order to determine whether energy system improvements are needed, the Siting Board: (1) examines the reasonableness of the petitioner’s system reliability planning criteria; (2) determines whether the petitioner uses reviewable and appropriate methods for assessing system reliability over time based on system modeling analyses or other valid reliability indicators; and (3) determines whether the relevant transmission and distribution system meets these reliability criteria over time under normal conditions and under certain contingencies, given existing and projected loads. Cited by HMLP, *Eversource Mid-Cape* at 10; *NEP Beverly-Salem* at 10; 8 *Eversource Andrew-Dewar* at 7; *Eversource Sudbury-Hudson* at 15; *see also Town of Sudbury v. Energy Facilities Siting Board*, 487 Mass. 737, 748-749 (2021) (“*Town of Sudbury*”).

The Town does not challenge HMLP’s position that its current system may not meet acceptable reliability standards to provide electricity to approximately 24,000 residents of in the Town of Hingham.

However, the Town’s concern is whether HMLP met its burden under G.L. c. 164, § 69J which required a project proponent to present alternatives to the proposed facility, including: (a) other methods of transmitting or storing energy; (b) other sources of electrical power or natural gas; or (c) a reduction of requirements through load management. Cited by HMLP, *Eversource Mid-Cape* at 26; *NEP Beverly-Salem* at 28- 29; *Eversource Andrew-Dewar* at 24; *Eversource Sudbury-Hudson* at 27. 20.

B. Whether there are other cost-efficient alternative sources of energy to meet the needs of HMLP without substantially impacting the Town of Weymouth

HMLP takes the position that the most cost-efficient and most reliable alternate source of energy, with minimal impacts upon community, open space, and other environmental areas would be to construct underground transmission lines from “the Point of Interconnection on Eversource circuit 478-502 in Weymouth to a new substation at a location near existing Hobart I Substation in Hingham,” referred to by HMLP as “Option 2” also referred to as the “Broad Street Route” in its Brief. See pages 35-37.

HMLP did not recommend any non-transmission alternatives (“NTA”) sources of energy such as Wind Resources, Solar Power with Battery Storage, or Emergency Generation. See pages 40-46 HMLP Brief.

HMLP took the position that NTA were substantially more expensive and may not meet the needs required for an alternate source of energy. *Id.* It is clear from HMLP analysis that NTA would not have any impact upon the Town or other neighboring communities, its roadways, sidewalks and environmental areas.

After conducting a thorough analysis of traffic impacts, noise impacts, land use impacts, wetland resource areas, storm water management and other related criteria, HMLP identified the Broad Street Route as the preferred route over the “Lake Street Route” after conducting a thorough analysis of certain criteria for several other alternate routes through Weymouth. See page 71 of HMLP Brief.

The Broad Street Route, is approximately 17,040 linear feet (about 3.2 miles) of which approximately 11,040 linear feet (2.1 miles) are in Weymouth and approximately 6,100 linear feet (1.1 miles) are in Hingham. This route exits the proposed New Substation at the transfer station site in Hingham and runs west on Hobart Street, turns south on French Street, then turns west on High Street and continues west into Weymouth on High Street which becomes Broad Street. Broad Street is followed for approximately 8,500 feet until ending at the New Tap Station Site at the Eversource ROW.” *Id.*

“The Broad Street Route crosses Herring Run Brook and is in the vicinity of several major conservation areas, including the Ridgewood Crossing Conservation Area. Existing road widths range from 25 feet (French and Hobart Street) to 40 feet (Broad Street), with a medium

existing utility density. There are eighteen MBTA bus stops along the MBTA Bus Route 222 which follows portions of Broad Street and High Street. The predominant adjacent land use is residential, with some commercial and industrial uses, one school, three places of worship, and parks and recreation facilities including Robert S. Hoffman Park and Connell Rink and Pool. Wetland resources in the vicinity of the Preferred Route include the 100-year floodplain, and Herring Run Brook. This route also crosses a portion of the Weymouth Back River ACEC. Work within wetland resource areas is within developed and previously disturbed areas. There are two known sites with potential to encounter subsurface contamination near the Preferred Route. *Id.* referring to Exhs. HE-1, at 5-1 to 5-4 (Figures 5-1, 5-2, 5-3).

The Lake Street Route, identified as the “Noticed Alternative Route” is approximately 19,600 linear feet (3.7 miles) of which approximately 13,500 linear feet (2.6 miles) are in Weymouth and approximately 6,100 linear feet (1.1 miles) are in Hingham. This route exits the proposed New Substation in Hingham and runs west on Hobart Street, then turns south on French Street and turns west on High Street. The route continues west into Weymouth continuing on High Street which becomes Broad Street. This route then turns south down Water Street, turning north on Pleasant Street, and travels west on Lake Street, and northwest on Essex Street, which transitions to Spring Street. The route turns west onto Broad Street and continues west on Broad Street to the New Tap Station site on Eversource’s ROW in Weymouth. The Noticed Alternative Route is a combination of main and side streets and is relatively direct. As the Lake Street Route runs parallel to Herring Run, the Weymouth Conservation Agent and Herring Run Warden requested that HMLP consider a variation to the Noticed Alternative Route to avoid Water Street. HMLP added the Noticed Alternative Route Variation to follow Shawmut Street (rather than Water Street) to Broad Street. The predominant adjacent land use for the Noticed Alternative Route is residential, with some commercial and industrial uses and one school and one place of worship. See page 72 of HMLP Brief

The Noticed Alternative Route crosses Herring Run Brook. There are two known sites along the Noticed Alternative Route that have potential for subsurface contamination. Protected open space is present along the route, including More-Brewer Park and Humphrey Field. The Noticed Alternative Route runs adjacent to Whitman’s Pond, which is listed as an emergency surface water supply. This route also crosses a portion of the Weymouth Back River ACEC.

The road widths range from 20 feet (Shawmut Street) to 40 feet (Broad Street). There are eleven MBTA bus stops along the Noticed Alternative Route. The overall existing utility density of the Lake Street route is slightly higher than the Preferred Route, having a medium-high density.” Exh. HE-1, at 5-5 to 5-8, (Figures 5-4, 5-5, 5-6). *Id.*

The Broad Street Route and the Lake Street Routes are major roadways that traverses through neighborhoods and commercial businesses in the Town as outlined in HMLP’s Brief. In the Fall 2025 the Town resurfaced roadways and sidewalks on most of the route as outlined in the Lake Street Route in 2025.

Although HMLP identified several possible routes for its transmission line project, the Town has agreed with HMLP that if the Siting Board determined that HMLP met its burden under G.L. c. 164 § 69J then the Broad Street Route “Option 2” would be the desired route with less impacts upon residents and its natural resources.

HMLP indicated that the typical construction progress along the transmission line route would be extremely slow moving at a pace of 500 feet per segment with approximately 9 to 17 days per segment. Tr. 22 through 24 at 207 and Tr. 1 through 9 at 208. See Table 5-1 and EFSB-CM-3. The average trench dept is expected to be approximately 5 feet and the width of the trench is expected to be approximately 26 to 30 inches. See Tr. 6 through 23 at 140.

It appears that the construction of the transmission lines in Weymouth’s roadways will take approximately two years and cause considerable impacts to traffic, school buses, and emergency vehicles. In addition to the impacts on the roadways, the Broad Street Route also requires the transmission lines to cross an eco-sensitive area identified as the Herring Run Brook and the Broad Street Bridge (“Bridge”) within the Broad Street roadway as well as three culvert crossings. See Section B 4 (a), page 36 of HMLP Brief.

The Broad Street Route also requires the transmission lines to travel through Lower Jackson Square and cross the Bridge. Tr. 16 through 24 at 28 and Tr. 1 through 4 at 29. The Town is extremely concerned about the impacts upon these areas because Lower Jackson Square is presently undergoing a multi-million-dollar redevelopment project with several mixed-use structures being constructed along the transmission route and various street re-pavement projects. *Id.* The Bridge and another bridge located on Commercial Street, which is in close proximity to

Jackson Square, are slated for a multi-million-dollar replacement project within the next year or two, due to the deteriorating condition of the bridges.

According to HMLP, it would propose to install transmission lines to “cross” the Bridge and Herring Brook. It is not clear from HMLP’s exhibits how intends to “cross” the Herring Run and the Bridge without causing substantial impacts on new construction to the Bridge. In the event that HMLP Project is approved and the transmission lines are installed in this area prior to completion of the Bridge replacement projects then there is a major risk that it could cause substantial damage to the deteriorating Bridge and the Herring Brook. HMLP did not provide any evidence to support its position that it would have the ability to cross the Bridge and Herring Brook without impacting these structures. HMLP, through witness, Moran testified that, “we continue to work with the Town of Weymouth on these projects. Until the project is approved, we don’t know the exact route of the project, so we’re not sure that those area will be impacted. Once we have an approved project, we’ll coordinate with the Town of Weymouth on all of those projects.” Tr. 22 at 28 and 1-4 at 29.

The Town relies upon the Siting Board to decide whether there are other reasonable alternatives methods of transmitting and/or storing energy from other sources of electrical power to meet the acceptable reliability standards with or without underground transmission lines for the residents of Hingham without causing a substantial impact upon the Town of Weymouth, and environmentally sensitive areas with the construction of underground transmission lines under major roadways and through environmentally sensitive areas.

In the event that the Siting Board approves the Joint Petitioners’ application then it is imperative that the parties enter into a written agreement (Memorandum of Agreement or Community Benefit Agreement) that would address the Town’s concerns as outlined herein before the Siting Board issues a final decision in this matter. The Agreement is necessary to protect the Town, its residents, infrastructure and environmental areas along the either of the Routes selected by the Siting Board.

Although the parties have been discussing the terms of a written Memorandum of Agreement/Community Benefit Agreement the Town is still waiting for a response from HMLP to the Towns latest proposals.

CONCLUSION

Wherefore, the Town of Weymouth respectfully requests the Siting Board stay any decision in this matter until the parties enter into a written Memorandum of Agreement/Community Benefit Agreement that would protect and refurbish the Towns infrastructure, environmental areas and the Jackson Square Development along with providing proof of liability insurance and other related provisions to protect the Town.

Respectfully submitted,
THE TOWN OF WEYMOUTH,
By its attorney,

/s/ Richard McLeod

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DATED: December 12, 2025

CERTIFICATE OF SERVICE

I certify that, on December 12, 2025, I served a copy of the foregoing Motion to Amend Briefing Schedule on all parties in these proceedings in compliance with the requirements set forth in 980 C.M.R. 1.03.

/s/ Richard McLeod

Richard McLeod, Solicitor