

APPENDIX 18: COMPARISON OF LOCAL COMMUNITY INVOLVEMENT – MA, NH, RI

Connecticut’s pre-application process has more robust requirements for municipal involvement than is seen in other state structures. Connecticut appears to be the only state where an applicant is statutorily required to use good faith efforts to meet with multiple levels of government representatives prior to the application being filed.

In all of the New England states with statutory siting bodies, the local government receives notice when an application is filed. Connecticut appears to be the only state that, by statute, requires an applicant to file a separate municipal participation fee.

Massachusetts

In Massachusetts, each Petition for Approval of Construction must be served on the mayor of each city and the board of selectmen of each town in which any part of the proposed facility is to be located. Public notice is also posted in the city or town halls of communities in which the proposed project would be located.¹⁶⁹

New Hampshire

In New Hampshire, a local government receives notice from an applicant of the pre-application public information session. The application must be given to the governing body of each municipality and must include a list of the affected municipalities. In evaluating a proposed energy facility, the SEC must find that, “the site and facility will not unduly interfere with the orderly development of the region with due consideration having been given to the views of municipal and regional planning commissions and municipal governing bodies.”¹⁷⁰

Rhode Island

The RI-EFSB, upon receiving a utility company application, immediately notifies, in writing, the Councils of the towns and cities affected by the construction. The city or town can intervene in the proceedings by filing a notice.¹⁷¹

¹⁶⁹ [M.G.L.A. 164 Sec. 69L](#) and <https://www.mass.gov/info-details/efsb-and-dpu-siting-process>.

¹⁷⁰ [N.H. Rev. Stat. Sec. 162-H:7](#), [N.H. Rev. Stat. Sec. 162-H:10](#), and [N.H. Rev. Stat. Sec. 162-H:16](#).

¹⁷¹ [R.I. Gen. Laws Sec. 42-98-9.1](#) and [EFSB Rules of Practice and Procedure 1.10](#).