

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES
DPU # 19-39

Petition of Grafton & Upton Railroad Company to)
Massachusetts Department of Public Utilities for Authority to)
Exercise the Power of Eminent Domain to Acquire Property in)
Hopedale Massachusetts, pursuant to G.L. c. 160 section 83)

REQUEST FOR AN EXTENSION OF TIME TO FILE A PETITION TO INTERVENE
AND PETITION TO INTERVENE

NOW COMES the undersigned Hopedale Board of Water and Sewer Commissioners and requests the following:

- A. EXTENSION - A ninety (90) day extension of time to file a petition to intervene or to participate in the proceeding for the following reasons:
- 1.) The Board did not receive Notice of the Hearing held on July 17, 2019 until the week before the hearing and was unable to prepare an accurate response within that timeframe.
 - 2.) Due to the fact that the proposed land acquisition encompasses land within the watershed area which feeds Hopedale's water supply, we would like the opportunity to engage legal counsel concerning any restrictions and/or protections which could be imposed should the G&U Railroad be successful in their eminent domain action.
 - 3.) Due to potential contamination of the proposed acquisition and the associated preventative oversight issues which we face currently, the Town's water supply could be adversely affected. At present, the G&U Railroad conducts operations in Hopedale's Zone II Wellhead Protection Area. We are currently awaiting guidance to help the W&S Commission perform our oversight responsibilities with respect to wetland's issues, changing contaminants, and newly installed Fly Ash silos. This oversight concern will be significantly exacerbated should the G&U

Railroad acquire an additional 155 acres for expansion purposes in an area which feeds both the Mill Pond and the Mill River.

4.) An area within the boundary of the land in question has been identified through prior trace studies to be a viable site for future water sourcing. Additional water sources are continually being researched to meet the water demand. If the G&U Railroad were to operate on this property a viable source would be removed as an option. This would be even more devastating should any contamination take place in the Zone II Wellhead Protection Area.

B. INTERVENTION - In the alternative, if an extension is not granted then kindly accept this petition as a request to intervene or participate in the proceedings for the following reasons:

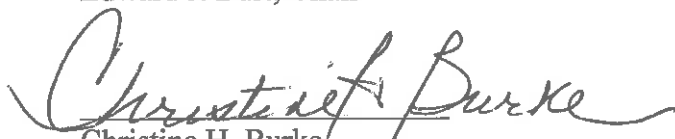
5.) The residents of the Town of Hopedale who rely on the town for drinking water will be substantially affected by the aforementioned acquisition.

6.) On information and belief, the area in question feeds the Mill Pond and Mill River and is subject to regulation under the Federal Water Pollution Control Act 33 USC 1251 et seq. and federal and state regulations thereunder.

Respectfully submitted by
Hopedale Water and Sewer Commissioners


Edward J. Burt, Chair

Date: July 29, 2019


Christine H. Burke


James M. Morin