

**COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD**

Initial Petition and Application of	)	
Hillman Energy Center, LLC	)	
Pursuant to Section 118 of Chapter 239 of	)	EFSB 26-02
the Acts of 2024 for a Certificate of	)	
Environmental Impact and Public Interest	)	
	)	

**MOTION OF HILLMAN ENERGY CENTER TO WITHDRAW AN
INITIAL PETITION AND APPLICATION FOR A
CERTIFICATE OF ENVIRONMENTAL IMPACT AND PUBLIC INTEREST**

Hillman Energy Center, LLC (“Hillman” or the “Company”) respectfully moves the Energy Facilities Siting Board (“EFSB” or “the Siting Board”) **for approval to withdraw** its Petition and Application for a Certificate of Environmental Impact and Public Interest (a “Certificate”) in the above-captioned proceeding. In support of this Motion, the Petitioner states as follows:

1. On June 30, 2026, pursuant to Section 118 of Chapter 239 of the Acts of 2024, Hillman filed an Initial Petition and Application with the EFSB seeking the Siting Board to issue 15 state and local permits required for construction and operation of a battery energy storage system (“BESS”) facility and related infrastructure (the “Project”) at 73-75 Hillman Street in Tewksbury, Massachusetts. The Siting Board granted individual and comprehensive zoning exemptions for the Project **subject to 104 conditions** by final decision on June 30, 2026, in EFSB 25-08.
2. On August 10, 2026, the EFSB issued its Notice of Adjudication and Adjudicatory Hearing in the above-captioned matter, directing the Company to, among other things, publish the Notice at least 14 days before September 14, 2026 in the Tewksbury Town Crier and The Lowell Sun and to provide an electronic copy of the Notice and the Certificate filing to (1) the service lists for EFSB 25-08, (2) each state and local agency with authority over the permits the Company is seeking, (3) the Select Board for the Town of Tewksbury, (4) the Secretary of each Executive Office, (5) the Office of the Attorney General, and (6) the Office of the Secretary of State. Moreover, a copy of the

Notice was to be provided to all property owners and to all U.S. Mail addresses for all properties, including residential condominium units, that lie within one-half (0.5) mile of the property lines of the two parcels containing components of the Project (73 and 75 Hillman Street), and within three hundred (300) feet of the edge of the right of way for the Proposed Transmission Interconnection line and abut each component of the Project including properties opposite the Project components across any public or private street or way, and abutters to abutters within one-half (0.5) mile of the property line of each of the two parcels containing the BESS components of the Project, and within three hundred (300) feet of the edge of the right of way for the Proposed Transmission Interconnection line. Per the EFSB requirements, the Company was to send the Notice to the Tewksbury Town Manager, Planning Board, Zoning Boards of Appeal, Department of Public Works, and Conservation Commission and provide the Notice to the planning board of every city or town that abuts Tewksbury, and all municipal office buildings, public libraries, senior centers, and places of worship within one mile of the Project components. The Company affirms that Notice has been provided in adherence with all of the EFSB requirements.

3. On August 13, 2026, the EFSB issued its first set of Information Requests with a deadline for responses of August 27, 2026.
4. On August 27, 2026, the Company filed with the EFSB a Motion for Extension of Time to file those responses. That Motion is pending a decision by the EFSB.
5. As noted in its Motion for Extension of Time, the Company received the results of the ISO-NE Transitional Cluster Study (the "Cluster Study") that detailed the grid upgrade costs that Hillman would be responsible for paying and that would be included in its Large Generator Interconnection Agreement ("LGIA"). Per the results of the Cluster Study, the Company's cost to upgrade the grid greatly exceeded previous estimates, making this project economically unviable. Accordingly, the Company has withdrawn the Project from the interconnection queue and from further consideration before the Siting Board.
6. No parties will be prejudiced by the EFSB granting this Motion. Specifically, the date for receiving public comments pertaining to this docket remains several weeks in the future, no hearings have been held, and there are no discovery responses yet filed. The proceeding will be terminated without any adjudication on the merits and no party's rights or claims will be adversely affected.

WHEREFORE, the Petitioner respectfully requests that the Energy Facilities Siting Board enter an Order:

1. granting this Motion to Withdraw the petition filed in Docket No. EFSB 26-02;
2. closing and terminating the above-captioned proceeding without prejudice; and
3. granting such other and further relief as the Board deems just and appropriate.

Respectfully submitted,

HILLMAN ENERGY CENTER, LLC

By its attorneys,

A handwritten signature in cursive script, appearing to read "Andrew O. Kaplan", written in dark ink.

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Dated: September 1, 2026