

SENATE No. 1491

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to Promote Utility System Reliability..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 No later than January 1, 2010, each distribution, electric and gas company, all as defined
2 in section one of chapter one-hundred and sixty four of the General Laws, shall employ adequate
3 numbers of employees to perform routine inspections, preventive maintenance work, and, in the
4 case of an electric or distribution company, tree trimming. Each company shall additionally
5 designate dedicated preventive staff or crews who, on a daily basis, are involved in routine
6 inspections of key system components and are available to promptly perform any preventive
7 maintenance identified as necessary through the inspections.

8 A company shall not be deemed to be in compliance with these requirements unless it
9 employs at least as many employees for such inspection, preventive maintenance and tree-
10 trimming functions as were employed in January 1997.

11 Any company may file a request with the Department of Public Utilities for a waiver
12 from these requirements, which may be granted only for good cause shown, including a
13 demonstration that the company can perform the same level of inspection, maintenance and tree-
14 trimming as it did in 1997, with fewer employees. Upon the filing of any such request, the

15 Department shall provide public notice of the filing and an opportunity for interested parties to
16 be heard.

17 Any person who believes that a company is not in full compliance with the requirements
18 of this law may bring a petition before the Department seeking enforcement of these
19 requirements, and the Department shall promptly investigate any such petition, providing public
20 notice and an opportunity for interested parties to be heard.