

**SENATE . . . . . No. 1492**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act to Provide Emergency Relief for Electric Customers..

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

1           SECTION 1.   Subsection (7) of section 1F of Chapter 164 of the General Laws  
2 appearing in the 2004 Official Edition, is hereby amended by striking the fifth and sixth and  
3 seventh sentences as so appearing beginning at line 237 and inserting in place thereof the  
4 following:

5           Any person, firm, electric or generation company, supplier, or other corporation doing  
6 business in the commonwealth who violates any provisions of said code or of any rule or  
7 regulation promulgated by the department pursuant to sections 1A to 1H, inclusive, or any  
8 provision of chapter 93A, pursuant to authority established by section 102C, shall be subject to a  
9 civil penalty not to exceed \$500,000 for each violation for each day that the violation persists.

10 Any person or entity shall have the right to a hearing on the fine assessed;   provided however  
11 if the department determines that an emergency exists because of a violation or series of  
12 violations which has interrupted service, the department may with notice immediately impose  
13 daily fines or in an appropriate case order another supplier or entity to provide service or repair  
14 facilities and impose further consequential damages.