

SENATE No. 1494

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Regarding Service Outage Restoration Penalties..

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. Chapter 164 of the General Laws, as appearing in the 2008 Official Edition,
2 is hereby amended by inserting after section 1H the following new section:-

3 Section 1I. The department is hereby authorized to promulgate rules and regulations to
4 establish standards of acceptable performance for the restoration of service outages for
5 distribution, transmission and gas distribution companies doing business in the commonwealth.
6 The department shall establish a penalty of not less than \$500,000 for each separate instance for
7 a failure to perform and the department may increase the penalty should it find it necessary based
8 on the severity as a result of the failure to perform. The department shall open a full
9 investigation and evidentiary hearings, upon petition of the Attorney General or by any
10 municipality that has service outages, to determine whether the distribution, transmission or gas
11 distribution company’s service outage violated the standards established by the department;
12 provided, that said petition shall be made within 45 days after service has been restored.