

**HOUSE . . . . . No. 1768**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Stephen Kulik*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act promoting incremental hydropower improvements.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>11/14/2012</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>1/25/2011</i>
<i>Barry R. Finegold</i>		<i>2/4/2011</i>
<i>Michael F. Kane</i>	<i>5th Hampden</i>	<i>1/25/2011</i>
<i>Stanley C. Rosenberg</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/26/2011</i>

**HOUSE . . . . . No. 1768**

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By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 1768) of Stephen Kulik and others for legislation to provide for increased capacity or efficiency improvements at hydropower facilities. Telecommunications, Utilities and Energy.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act promoting incremental hydropower improvements.

*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 11F of Chapter 25A of the Massachusetts General Laws is hereby amended by  
2 adding after the following the words in paragraph (c): “impacted watershed as determined by the  
3 department in consultation with relevant state and federal agencies having oversight and  
4 jurisdiction over hydropower facilities”, the following:

5           (“Environmental Standards”), and in any case in which pursuant to action initiated with  
6 or by the Federal Energy Regulatory Commission (FERC) after January 1, 1992 the FERC either  
7 reviewed and approved increased capacity or efficiency at an existing facility, or issued an order  
8 with respect to increased capacity or efficiency improvements to revise the authorized installed  
9 capacity at an existing facility, where the operation or such increased capacity or efficiency does  
10 not exceed the maximum discharged of the original turbine or turbines, then such increased  
11 capacity or efficiency at each such existing facility shall be deemed to have satisfied the  
12 Environmental Standards, defined above, and except as limited by the following subsection (6)  
13 (ii) shall be certified as a Class 1 renewable energy generating source, without further review;