

HOUSE No. 2748

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia A. Haddad

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 to provide immediate relief to ratepayers on electricity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>1/13/2015</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>12/2/2019</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>12/2/2019</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/23/2015</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>12/2/2019</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>12/2/2019</i>
<i>John V. Fernandes</i>	<i>10th Worcester</i>	<i>12/2/2019</i>

HOUSE No. 2748

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 2748) of Patricia A. Haddad and others for legislation to place the Department of Public Utilities within the Department of Consumer Affairs and Business Regulation. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act to provide immediate relief to ratepayers on electricity.

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: Section 1: Section 7 of Chapter 21A of the General Laws, as appearing in
2 the 2012 official Edition, shall be amended by the following: In Line 4 remove the words
3 “department of public utilities,”

4 Section 2: Section 16G of Chapter 6A of General Laws, as appearing in the 2012 official
5 edition, shall be amended by the following: In line 18, add the words “Department of Public
6 Utilities,” after the words “the Division of Standards”.

7 Section 3. Section 2 of Chapter 25 of the General Laws as appearing in the 2012 Official
8 Edition, shall be amended by the following: Delete Section 2 in its entirety and replace with the
9 following new section 2:

10 The department shall be under the supervision and control of the commonwealth utilities
11 commission, in this chapter called the commission, which shall consist of 5 members, 2 of whom

shall be appointed and may be removed by the Secretary of economic Development for a term coterminous with that of the governor. The third and fourth and fifth member shall be appointed and may be removed by the secretary for a term of 4 years. The secretary shall designate one commissioner as chairman, who shall serve as chairman for 2 years, and may be reappointed, unless removed as chairman by the secretary, with the approval of the governor. Commission members shall have background or expertise in electricity or natural gas matters, provided however, that at least one must have a background in residential ratepayer concerns and at least one must have a background related to commercial and industrial ratepayer issues. Any appointment or removal by the secretary under this section shall require the approval of the governor. The commissioners shall devote their full time to the duties of their office. Not more than 3 members of the commission shall be members of the same political party. Any decision made or order issued by the commission may be made by majority vote of a quorum of 3 members.

The initial base salary of the chairman of the commission shall be \$90,000, and the initial base salary of the other members shall be \$82,500. Said salaries shall be subject to step increases consistent with the provisions of sections 45 and 46C of chapter 30. The members shall receive necessary expenses incurred in the discharge of their official duties.

The commission shall make an annual report of its activities in January of each year to the general court.

SECTION 2. Chapter 25 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following new section:-

Section 19 . In addition to any other amounts derived from sources internal or external to Municipal Lighting Plants, costs associated with energy efficiency programs including but not limited to, demand side management programs established by such Municipal Lighting Plants, shall be funded, without further appropriation, from those amounts generated from cap and trade pollution control programs, including, but not limited to, and subject to section 22 of chapter 21A, amounts generated by the carbon dioxide allowance trading mechanism established under the Regional Greenhouse Gas Initiative Memorandum of Understanding, as defined in subsection (a) of section 22 of chapter 21A. Such amounts shall be allocated based on the percentage of each municipal lighting plants electricity sales relative to total electricity sales statewide as determined by the Department of Energy Resources and not less than 80 per cent of such allocated amounts shall be returned to such Municipal Lighting Plants for implementation of such aforementioned programs.

Such municipal lighting plants programs funded by those additional amounts pursuant to this section shall be administered by each municipal lighting plant through either the Massachusetts Municipal Wholesale Electric Company or Energy New England LLC or their successors as determined by each municipal lighting plant.

Each municipal lighting plant shall include an itemization of expenditures of those funds received under this section in its annual return filed pursuant to section 63 of chapter 164.

Provided however that a municipal light plant may annually at its option elect not to participate in those additional amounts available under this section. In the event of such election such municipal lighting plant would not be subject to the energy efficiency and demand side management programs requirements established under this section.

Any amounts distributed pursuant to and received by municipal lighting plants under this section shall not subject municipal lighting plants to any other general or special law.

SECTION 3: Paragraph (a) of Section 19 of Chapter 25 of General Laws as appearing in the 2012 Official Edition, shall be amended by the following: in Line 17, after the words “NOx Allowance trading program of Chapter 21A, add the following words:

“provided, however, that such funds from the Regional Greenhouse Gas Initiative may be used for reimbursement of programs or projects which are not currently reimbursable by the energy efficiency program but which are shown to reduce greenhouse gases in a cost-effective manner, including, but not limited to customer gas line up upgrades and submetering, ”

SECTION 4: Notwithstanding any special or general law, the costs to ratepayers of compliance with Chapter 25A, Sections 11F and 11F 1/2, shall be capped so that no such costs shall be charge to a customer once such customer uses 10,000kWh of electricity in a month.