

**HOUSE . . . . . No. 3528****The Commonwealth of Massachusetts**

PRESENTED BY:

***John V. Fernandes***

*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 relative to the process for increasing utility rates.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John V. Fernandes</i>	<i>10th Worcester</i>	<i>1/15/2015</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/2/2020</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	<i>1/2/2020</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>1/2/2020</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>4/10/2015</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>4/9/2015</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>	<i>4/7/2015</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>4/14/2015</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>4/10/2015</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	<i>4/9/2015</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>4/7/2015</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>4/7/2015</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>4/7/2015</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>4/7/2015</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>4/7/2015</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>4/7/2015</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>4/7/2015</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>4/7/2015</i>

<i>Walter F. Timilty</i>	<i>7th Norfolk</i>	<i>4/13/2015</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/2/2020</i>

# HOUSE . . . . . No. 3528

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By Mr. Fernandes of Milford, a petition (accompanied by bill, House, No. 3528) of John V. Fernandes and others relative to the process for increasing seasonal utility rates. Telecommunications, Utilities and Energy.

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## The Commonwealth of Massachusetts

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

An Act relative to the process for increasing utility rates.

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

1           Chapter 164 of the General Laws, as appearing in the 2012 Official Edition, is hereby  
2 amended by inserting after section 94 the following section:-

3           Section 94A. (a) For the purposes of this section, the term seasonal rate increase shall  
4 mean any upward adjustment to any rates or charges by a gas company and approved by the  
5 department pursuant to section 94; provided, however, that this section shall not supersede the  
6 requirements of said section 94.

7           No seasonal rate increase shall be made in the rates or charges which have been filed and  
8 published by a gas company pursuant to this chapter, except upon approval by the department  
9 and after 30 days' notice to the department and to the public published pursuant to this section,  
10 which shall plainly state the changes proposed to be made in the schedule then in force, and the  
11 time when the changed rates or charges will go into effect.

12 Whenever the department receives notice of any seasonal rate increase to be made in any  
13 schedule filed under this chapter by a gas company, the department shall hold a public hearing  
14 first and make investigation as to the propriety of the proposed change or changes. After notice  
15 of any investigation, the department shall have power to suspend the taking effect of the change  
16 or changes pending the decision of the department. Each hearing and investigation shall be  
17 conducted as expeditiously as may be practicable, and with a minimum of delay.

18 Within 90 days after the completion of the last hearing, the department shall make such  
19 order in reference to any proposed seasonal rate increase as may be proper; provided, that if the  
20 department makes an upward adjustment to any current or prior rates or charges by a gas  
21 company, the department shall periodically hold a public hearing and make investigation as to  
22 the continued propriety of seasonal rates charged by a gas company and shall make such order in  
23 reference to the rate or charge as may be just.

24 (b) Upon receipt from a gas company of a notice of any seasonal rate increase proposed  
25 to be made pursuant to subsection (a), the department shall give notice as it may prescribe of the  
26 pendency of the proposal and of the time and place of the hearing thereon to the chief executive  
27 officer of any city or town affected by such proposed seasonal rate increase. The department  
28 shall also publish a notice of the hearing at least 10 days prior to the date thereof in a newspaper  
29 of general circulation in each such city or town. The department, upon request of the chief  
30 executive officer of any such city or town, shall hold a public hearing on the matter within each  
31 such town or city; provided; however, that the requesting city or town shall provide suitable  
32 accommodation for the public hearing.