

**HOUSE . . . . . No. 1762**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Paul W. Mark*

*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 fair and stable electricity pricing.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Paul W. Mark*

*2nd Berkshire*

*Carlos González*

*10th Hampden*

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By Mr. Mark of Peru, a petition (accompanied by bill, House, No. 1762) of Paul W. Mark and Carlos Gonzalez for legislation to require the approval by the Department of Public Utilities of proposed rate increases by electric companies. Telecommunications, Utilities and Energy.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3533 OF 2015-2016.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to fair and stable electricity pricing.

*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 1B the following section:-

3 Section 1B½. (a) For the purposes of this section, the term rate increase shall mean any  
4 upward adjustment to any rates or charges of any ancillary service, basic service, cogeneration,  
5 default service, distributed generation, distribution, electric service, generation, generation  
6 service or transmission by an electric company to either a distribution company or a retail  
7 customer.

8 Notwithstanding any other provision of this chapter, an electric company shall not  
9 institute a rate increase or other change in its rates, charges or retail access except upon approval

10 by the department and after 30 days' notice to the department and to the public published  
11 pursuant to this section, which shall plainly state the changes proposed to be made to the  
12 schedule then in force, and the time when the changed rates or charges will go into effect.

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

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

26 (b) Upon receipt from an electric company of a notice of any rate increase proposed to be  
27 made pursuant to subsection (a), the department shall give notice as it may prescribe of the  
28 pendency of the proposal and of the time and place of the hearing thereon to the chief executive  
29 officer of any city or town containing a retail customer affected by such proposed rate increase.  
30 The department shall also publish a notice of the hearing at least 10 days prior to the date thereof  
31 in a newspaper of general circulation in each such city or town. The department, upon request of

32 the chief executive officer of any such city or town, shall hold a public hearing on the matter  
33 within each such town or city; provided; however, that the requesting city or town shall provide  
34 suitable accommodation for the public hearing.