

SENATE No. 1852

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 natural gas pipeline surveys.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/1/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/1/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/3/2017</i>

SENATE No. 1852

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 1852) of Anne M. Gobi, Steven S. Howitt, Barbara A. L'Italien and James B. Eldridge for legislation relative to natural gas pipeline surveys. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act relative to natural gas pipeline surveys.

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 is hereby amended by striking Section
2 75D in its entirety and inserting in its place thereof the following section:-

3 Section 75D. Survey preliminary to eminent domain proceedings; applicability to natural
4 gas pipelines

5 The provisions of section 72A shall be applicable to natural gas pipeline companies, as
6 defined in section 75B. Notwithstanding any other provision of Section 75, no natural gas
7 pipeline company shall be permitted to submit a petition to the department for survey access or
8 to enter upon lands for survey access preliminary to eminent domain proceedings and as
9 provided in section 72A, unless such natural gas pipeline company (a) has been issued with
10 respect to the project for which survey access is sought either (i) a certificate of public
11 convenience and necessity under chapter 15B of the United States Code, or, as applicable for
12 intrastate pipelines, (ii) any required certificate or approval required pursuant to any local or state

13 law, including a certificate under section 69K, and (b) has secured a final, unappealable
14 adjudication of an order granting the applicable certificate as set forth in subsection (a). Any
15 petition filed with the department under this section seventy-five D shall be subject to an
16 adjudicatory hearing before the department.