

SENATE No. 1934

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

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 requiring public interest considerations in gas infrastructure expansion proceedings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/23/2019</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>1/29/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/30/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>1/30/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/30/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/31/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>1/31/2019</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>1/31/2019</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/1/2019</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/1/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/12/2019</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>4/16/2019</i>

SENATE No. 1934

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 1934) of Joanne M. Comerford, Brian M. Ashe, Natalie M. Blais, Mindy Domb and other members of the General Court for legislation to require public interest considerations in gas infrastructure expansion proceedings. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act requiring public interest considerations in gas infrastructure expansion proceedings.

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 94A of chapter 164 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by adding the following paragraphs:-

3 As part of any review of any contract with a term of more than one year for gas pipeline
4 capacity or liquefied gas storage that requires the construction of new or expanded gas
5 infrastructure, the department shall determine whether such contract is in the public interest. The
6 department shall not approve such a contract unless, in its public interest determination, the
7 department finds that:

8 (i) such contract is necessary and cost-effective for ratepayers;

9 (ii) such contract compares favorably to other reasonably available options in terms of its
10 impact on rates, the economy, environment, climate, local communities, public health, safety and
11 welfare;

12 (iii) the applicant has identified and evaluated alternatives that would reduce or eliminate
13 the need for private land takings or public land disposition including, but not limited to, fuller
14 and more long-term utilization of existing infrastructure, distribution system repairs, and
15 enhancement of peak shaving measures; and

16 (iv) for contracts exceeding a term of 3 years, the applicant has reasonably evaluated
17 demand-side options to reduce or eliminate the need for new infrastructure.

18 To aid in the department's public interest determination under this section, any gas
19 company seeking department review of a contract that requires the construction or expansion of
20 gas infrastructure shall first hold a competitive solicitation for non-gas alternatives. Such
21 competitive solicitations shall seek energy solutions that reduce greenhouse gas emissions and
22 that address the considerations enumerated in subpart (i) through (iv) above.

23 The department shall not approve any contract requiring a public interest determination
24 under this section if the applicant is the subject of an ongoing National Transportation Safety
25 Board investigation. If such an investigation opens after department approval of a contract but
26 prior to construction of the infrastructure required to fulfill the contract, the order approving such
27 contract shall be automatically vacated.