HOUSE DOCKET, NO. 3029 FILED ON: 1/19/2023

HOUSE . . . . . No. 3700

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. 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 consumer protection and private utility lines and poles.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Dylan A. Fernandes	*Barnstable, Dukes and Nantucket*	*1/17/2023*

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HOUSE . . . . . No. 3700

By Representative Fernandes of Falmouth, a petition (accompanied by bill, House, No. 3700) of Dylan A. Fernandes relative to private utility lines and poles. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to consumer protection and private utility lines and poles.

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

SECTION 1. Section 11E of chapter 12 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding the following subsection: –

(d) The department of public utilities shall, upon the request of a residential ratepayer, initiate administrative or judicial previous proceedings to require the delivery of electricity by a generation company or supplier through a supplier's service line or distribution system to a residential ratepayer who uses a private line, wire, pole, post, structure, attachment or other appliance to receive electricity by the replacement of such private line, wire, pole, post, structure, attachment or other appliance with the generation company or supplier's primary and secondary electric lines, poles and appliances to deliver power from the substation of the generation company or supplier to the residential ratepayer.

11 SECTION 2. Section 1D of chapter 164 of the General Laws, as appearing in the 2020
12 Official Edition, is hereby amended by inserting after the first paragraph the following
13 paragraph:-

14 All electric bills sent to a retail customer shall contain a notice that the retail customer
15 uses a private line, wire, pole, post, structure, attachment or other appliance to receive electricity.
16 Each and every failure to provide such notice shall be deemed to be a violation of law under this
17 chapter and upon notification to the department of a violation, the department shall give written
18 notice of a violation to the company or supplier and to the attorney general pursuant to section
19 78.

20 SECTION 3. Section 1F of said chapter 164, as so appearing, is hereby amended by
21 inserting, in line 158, after the word "charged" the following words:- ; provided that such rate to
22 be charged shall exclude the pro rata share of a maintenance fee for delivery of service by the
23 generation company or supplier's service line and distribution system less the maintenance fee
24 for a residential customer who owns and maintains a private line, pole, post, wire fixture or other
25 appliance delivering power from the supplier's service line and distribution system to the
26 residential customer; provided, further that such pro rata share shall be calculated by the
27 department in consultation with the office of ratepayer advocacy of the attorney general and such
28 residential customer.