

**HOUSE . . . . . No. 3800**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Sally P. Kerans and Joan B. Lovely*

*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 to ensure notice to abutter communities of applications to the department of public utilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>1/13/2023</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>1/19/2023</i>

**HOUSE . . . . . No. 3800**

By Representative Kerans of Danvers and Senator Lovely, a joint petition (accompanied by bill, House, No. 3800) of Sally P. Kerans and Joan B. Lovely relative to notice to abutter communities of applications to the Department of Public Utilities. Telecommunications, Utilities and Energy.

**The Commonwealth of Massachusetts**

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

An Act to ensure notice to abutter communities of applications to the department of public utilities.

*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 25 of the General Laws is hereby amended by adding the following section:-

2 Section 24. (a) Every applicant seeking a permit from the department for any project  
3 shall, within 30 days of filing the application, notify the city or town in which the proposed  
4 project will be located, to be known for the purposes of this section as the "host community", and  
5 all abutting cities and towns of the proposed project application. Acceptable forms of notice shall  
6 include email communication to the mayor and city council of the host community and all  
7 abutting cities and the select board and town administrator or town manager of the host  
8 community and all abutting towns. The words "Proposed Project Siting" shall appear in the  
9 subject line of the notice email.

10 (b) The department shall send, within 60 days of receipt of any application for a permit or  
11 approval of a proposed project, written notice to the mayor or town administrator or town

12 manager, city council or select board and the state representatives and state senators of the host  
13 community and abutting cities and towns of the application for the proposed project. The written  
14 notice pursuant to this subsection shall include the applicant name, address and contact  
15 information and shall state the right of the public to give testimony on the project and shall  
16 include instructions for participating in the public hearing, including the date, time and location  
17 of the hearing.

18 (c) Any applicant for a permit or approval from the department shall appear as requested  
19 at a public hearing convened by the legislative body of a host community or abutting city or  
20 town to describe the proposed project. Failure to appear as requested shall be communicated by  
21 the legislative body requesting the hearing and shall be grounds for the department to grant  
22 intervenor status to any entity that was previously excluded from the meeting.