SENATE DOCKET, NO. 973 FILED ON: 1/15/2025

SENATE . . . . . No. 2158

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 municipal light plants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
John F. Keenan	*Norfolk and Plymouth*	
Robyn K. Kennedy	*First Worcester*	*3/10/2025*

SENATE DOCKET, NO. 973 FILED ON: 1/15/2025

SENATE . . . . . No. 2158

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 2158) of John F. Keenan and Robyn K. Kennedy for legislation relative to municipal light plants to expand protection for other plant services, telecommunications and cable services. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to municipal light plants.

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. Chapter 164 is hereby amended by striking out section 47D, as appearing in the 2022 Official Edition, and inserting in place thereof the following section:-

Section 47D. A municipal lighting plant created pursuant to the provisions of this chapter or any special law shall be exempt from the public record requirements of section 10 of chapter 66 and the open meeting requirements of section 20 and 21 of chapter 30A in those instances when necessary for protecting trade secrets, confidential, competitively sensitive or other proprietary information provided in the course of proceedings conducted pursuant to this chapter when such municipal lighting plant board or its designee determines that such disclosure will adversely affect the plant's customers or its ability to conduct business.

SECTION 2. Said chapter 164 is hereby further amended by inserting after subsection 134(b), as appearing in the 2022 Official Edition, the following new subsection:-

(c) Trade secrets or competitively-sensitive or other proprietary information provided in the course of activities conducted as a municipal aggregator or by a cooperative consisting of governmental entities organized pursuant to this section, when such municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy shall not be public subject to disclosure under chapter 66; provided, however, that this clause shall not exempt a public entity from disclosure required of a private entity so licensed.