SENATE DOCKET, NO. 1986 FILED ON: 1/17/2025

SENATE . . . . . No. 2297

The Commonwealth of Massachusetts

PRESENTED BY:

Paul W. Mark

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 fair and stable utility pricing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Paul W. Mark	*Berkshire, Hampden, Franklin and Hampshire*	
Steven George Xiarhos	*5th Barnstable*	*2/3/2025*

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SENATE . . . . . No. 2297

By Mr. Mark, a petition (accompanied by bill, Senate, No. 2297) of Paul W. Mark and Steven George Xiarhos for legislation relative to fair and stable utility pricing. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *2149* OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act relative to fair and stable utility pricing.

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 of the General Laws is hereby amended in section 1B by striking subsection (e) and replacing it with the following:-

(e) As of March 1, 2026 the total, average rates for all of the distribution company's customers purchasing electricity under said standard service transition rate, shall be subject to an inflation cap that shall not exceed the annual rate of growth, stated as a percentage, of the Consumer Price Index as reported by the United States Bureau of Labor Statistics for the preceding year. The implementation of the rate reduction and inflation cap shall be reviewed, approved, and enforced in accordance with procedures in the rules and regulations promulgated by the department, which shall require that, the economic value of the rate reduction required under this section, be maintained during the standard service transition rate period.

11 SECTION 2. Chapter 164 of the General Laws is hereby amended by inserting after
12 section 1B the following section:-

13 Section 1B½. (a) For the purposes of this section, the term rate increase shall mean any
14 upward adjustment to any rates or charges of any ancillary service, basic service, cogeneration,
15 default service, distributed generation, distribution, electric service, generation, generation
16 service or transmission by an electric company to either a distribution company or a retail
17 customer.

18 Notwithstanding any other provision of this chapter, an electric company shall not
19 institute a rate increase or other change in its rates, charges or retail access except upon approval
20 by the department and after 60 days' notice to the department and to the public published
21 pursuant to this section, which shall plainly state the changes proposed to be made to the
22 schedule then in force, and the time when the changed rates or charges will go into effect.
23 Whenever the department receives notice of any rate increase to be made by an electric
24 company, the department shall first hold a public hearing and make investigation as to the
25 propriety of the proposed change or changes. After notice of any investigation, the department
26 shall have power to suspend the taking effect of the change or changes, pending the decision of
27 the department. Each hearing and investigation shall be conducted as expeditiously as may be
28 practicable and with a minimum of delay.

29 Within 90 days after the completion of the last hearing, the department shall make such
30 order in reference to any proposed rate increase as may be proper; provided, that if the
31 department makes an upward adjustment to any current or prior rates or charges by an electric
32 company, the department shall periodically hold a public hearing and make investigation as to

33 the continued propriety of such rates charged by an electric company and shall make such order
34 in reference to the rate or charge as may be just, which may include decreasing the rate or
35 charge.

36 (b) Upon receipt from an electric company of a notice of any rate increase proposed to be
37 made pursuant to subsection (a), the department shall give notice as it may prescribe of the
38 pendency of the proposal and of the time and place of the hearing thereon to the chief executive
39 officer of any city or town containing a retail customer affected by such proposed rate increase.
40 The department shall also publish a notice of the hearing at least 10 days prior to the date thereof
41 in a newspaper of general circulation in each such city or town. The department, upon request of
42 the chief executive officer of any such city or town, shall hold a public hearing on the matter
43 within each such town or city; provided; however, that the requesting city or town shall provide
44 suitable accommodation for the public hearing.

45 SECTION 3. Chapter 164 of the General Laws is hereby amended in section 1E by
46 striking subsection (a) and replacing it with the following:-

47 The department is hereby authorized to promulgate rules and regulations to establish and
48 require performance based rates for each distribution, transmission, and gas company organized
49 and doing business in the Commonwealth pursuant to the provisions of this chapter. In
50 promulgating such performance based rate schemes, the department shall establish service
51 quality standards for each distribution, transmission, and gas company, including, but not limited
52 to, standards for customer service satisfaction service outages, distribution facility upgrades,
53 repairs and maintenance, telephone service, billing service, and public safety, and that such
54 service quality standards shall include benchmarks for employee staff levels and employee

55 training programs for each distribution, transmission, and gas company, provided, however, that
56 the cost of advertising, promotional marketing, and charitable contributions and activities shall
57 not be counted towards the basis of rates.