HOUSE No. 1768

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

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 passage of the accompanying:

An Act promoting incremental hydropower improvements.

PETITION OF:

Name:	DISTRICT/ADDRESS:
Stephen Kulik	1st Franklin
Stephen L. DiNatale	3rd Worcester
Barry R. Finegold	[District]
Michael F. Kane	5th Hampden
Stanley C. Rosenberg	Hampshire and Franklin

HOUSE No. 1768

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 1768) of Stephen Kulik and others for legislation to provide for increased capacity or efficiency improvements at hydropower facilities. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act promoting incremental hydropower improvements.

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

Section 11F of Chapter 25A of the Massachusetts General Laws is hereby amended by adding after the following the words in paragraph (c): "impacted watershed as determined by the department in consultation with relevant state and federal agencies having oversight and iurisdiction over hydropower facilities", the following:

6 ("Environmental Standards"), and in any case in which pursuant to action initiated with or by the Federal Energy Regulatory Commission (FERC) after January 1, 1992 the FERC either reviewed and approved increased capacity or efficiency at an existing facility, or issued an order with respect to increased capacity or efficiency improvements to revise the authorized installed capacity at an existing facility, where the operation or such increased capacity or efficiency does not exceed the maximum discharged of the original turbine or turbines, then such increased capacity or efficiency at each such existing facility shall be deemed to have satisfied the Environmental Standards, defined above, and except as limited by the following subsection (6)

(ii) shall be certified as a Class 1 renewable energy generating source, without further review;