

JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO.	H.5161
TITLE:	An Act to promote affordable utility services in the Commonwealth
SPONSOR:	Representative Adam J. Scanlon
COMMITTEE:	Telecommunications, Utilities, and Energy
HEARING DATE:	June 26, 2026
PRIOR HISTORY:	<i>New bill</i>

CURRENT LAW:

Chapter 25 of the General Laws pertains to the Department of Public Utilities (DPU).

Chapter 164 of the General Laws pertains to the manufacture and sale of gas and electricity.

Section 4 of Chapter 239 of the Acts of 2024 amends Chapter 7C of the General Laws which pertains to the Division of Capital Asset Management and Maintenance (DCAMM) and establishes the embodied carbon intergovernmental coordinating council which is tasked to develop an embodied carbon plan that includes strategies to measure, monitor and reduce embodied carbon.

Section 5 of Chapter 239 of the Acts of 2024 amends Chapter 21A of the General Laws which pertains to the Executive Office of Energy and Environmental Affairs (EEA) by inserting the following three sections:

- Section 29: codifies the establishment of the office of environmental justice and equity within EEA.
- Section 30: directs EEA to establish a methodology for determining the suitability of sites for clean energy generation facilities.
- Section 31: directs EEA to promulgate regulations to (i) monitor the utilization or frequency of use of EV chargers and charging stations, (ii) monitor the reliability and availability of EV chargers and charging stations, and (iii) require, with respect to publicly funded charging stations installed on or after April 1, 2025, charging network providers and charging station operators to share certain data fields.

Section 10 of Chapter 239 of the Acts of 2024 amends Chapter 15 of the General Laws which pertains to the DPU by inserting the following two sections:

- Section 12S: establishes the Department of Public Utilities and Energy Facilities Siting Board Intervenor Support Fund.
- Section 12T: establishes a division of public participation within the DPU.

Section 11 of Chapter 239 of the Acts of 2024 amends Section 18 of Chapter 25 which pertains to assessments upon energy companies based on intrastate revenues; and rates by allowing the commission to make an assessment against each electric company and allows for the reimbursement to the commonwealth for funds for a clean energy infrastructure dashboard and requires the DPU to collect such assessments and credit a portion of them to the Department of Public Utilities and Energy Facilities Siting Board Trust Fund. This section also allows the commission to make a separate assessment against each electric and gas company for the purpose of providing the DPU with funds used to provide support to intervenors in DPU or EFSB proceedings.

Section 16 of Chapter 239 of the Acts of 2024 amends Section 22 of Chapter 25 which pertains to the energy efficiency advisory council (EEAC) by directing the council, as part of the approval process by the department, to: (i) maximize net economic benefits through energy efficiency, demand management and beneficial electrification; and (ii) achieve energy, capacity, climate and environmental goals through a sustained and integrated statewide energy efficiency and decarbonization effort. This section also lists out the duties of the EEAC.

Section 17 of Chapter 239 of the Acts of 2024 amends Section 2 of Chapter 25A of the General Laws which pertains to the divisions within the Department of Energy Resources (DOER) by inserting the division of clean energy siting and permitting.

Section 98 of Chapter 239 of the Acts of 2024 amends chapter 169 of the acts of 2008 by inserting a new Section 83E which directs each distribution company, in coordination with DOER, to jointly and competitively solicit proposals for energy storage systems. This section requires the distribution companies to enter into cost-effective long-term contracts equal to 5,000 MW of energy storage systems not later than July 21, 2030.

SUMMARY:

Section 1: inserts a new section 24 into Chapter 25 of the General Laws. This section requires the DPU to hold at least one public hearing and a 30-day comment period before approving any rate increase, including changes to delivery fees or other charges. The DPU shall provide notice of such hearings in a manner that ensures accessibility.

Section 2: inserts a new section into Chapter 164 of the General Laws. This section prohibits investor-owned electric or gas distribution companies from increasing delivery fees or rates by more than 3% per year, adjusted annually based on the Consumer Price Index for the Northeast Region. The DPU is required to adopt regulations necessary to implement this section, including provisions ensuring transparency in rate adjustments and consumer notifications.

Section 3: inserts a new section into Chapter 164 of the General Laws. This section directs the DPU to establish a Veteran Utility Rate Reduction Program that expands upon the existing tiered rate structure, specifically targeting veterans. The DPU is required to ensure that eligible veterans receive utility delivery fee discounts contingent upon and aligned with the existing tiered low-income discount rate, with veterans qualifying for equivalent or greater benefits. This section also directs the DPU to promulgate

regulations necessary for the implementation of this section and conduct outreach efforts to maximize veteran participation.

Section 4: inserts a new section into Chapter 164 of the General Laws. This section directs the DPU to establish a utility rate reduction program for residents of the Commonwealth aged 65 and older to provide discounted utility rates.

Section 5: amends Chapter 239 of the Acts of 2024 by striking out sections 4, 5, 10, 11, 16, 17, and 98.

Section 6: establishes a special commission to study and recommend reforms to utility delivery fee structures, industry best practices, and cost-reduction measures for consumers in the Commonwealth. The Commission is to hold no fewer than four public hearing. The Commission is to submit a report detailing its findings and recommendations to the Legislature and relevant committees no later than 12 months after the passage of this legislation. The commission shall consist of:

- The House and Senate chairs of the Joint Committee on Telecommunications, Utilities, and Energy, who shall serve as co-chairs
- The Speaker of the House, or designee
- The President of the Senate, or designee
- The House Minority Leader, or designee
- The Senate Minority Leader, or designee
- The Chair of the DPU, or designee
- The Attorney General, or designee
- One representative from the Massachusetts Municipal Association
- One representative from the Massachusetts Competitive Energy Suppliers Association
- Two individuals appointed by the Governor with expertise in utility regulation, energy pricing, or economic analysis