

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Murphy

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 bill:

An Act relative to certain utility regulations.

PETITION OF:

NAME:

James M. Murphy

DISTRICT/ADDRESS:

4th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3820 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO CERTAIN UTILITY REGULATIONS..

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

- 1 SECTION 1. The fifth paragraph of section 69H of chapter 164 of the General Laws, as appearing in the
2 2000 Official Edition, is hereby amended by striking out paragraph (4) and inserting in place thereof the
3 following 2 subparagraphs:—
- 4 (4) The board shall have the opportunity to issue orders with respect to any matter over which it has
5 jurisdiction. Anyone who violates any such order may be subject to a civil penalty not to exceed \$25,000
6 for each violation for each day of the violation; but the maximum civil penalty shall not exceed
7 \$5,000,000 in the aggregate. In the case of plants under construction, the board shall have the authority
8 to revoke all related permits should there be repeated violations. Additionally, the board shall in cases
9 for plants under construction, have the authority to deny the opening of such plant should there be
10 related violations
- 11 (5) In the event that the board finds a violation, the board shall have the authority to assemble a citizen
12 advisory group, consist of 5 persons, 3 of whom to be appointed by the mayor or board of selectman or
13 governing body of the municipality in which the energy facility is located, 1 of whom to be appointed by
14 the energy company which is the subject of the potential violations, and 1 of whom to be appointed by
15 the department of telecommunications and energy. Such board will serve as an advisory authority to
16 assist the department of telecommunication and energy and or the energy facilities siting board with

- 17 review of violations, or potential violations, and such board will assist with and make recommendations
- 18 for penalties to the energy facilities siting board and the department of telecommunications and energy.