

# SENATE . . . . No. 467

---

---

To accompany the petition of Robert G. Clark, Jr., that provision be made for the issuance, by the Department of Public Utilities, of certificates of public convenience and necessity to common carriers by water within the Commonwealth. Transportation.

---

---

## The Commonwealth of Massachusetts

---

In the Year One Thousand Nine Hundred and Fifty.

---

AN ACT PROVIDING THAT THE DEPARTMENT OF PUBLIC UTILITIES ISSUE CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO COMMON CARRIERS BY WATER WITHIN THE COMMONWEALTH.

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

1 Chapter 159 of the General Laws is hereby amended  
2 by inserting after section 105 the following section:—  
3 *Section 106.* No common carrier by water shall en-  
4 gage in transportation unless it holds a certificate of  
5 public convenience and necessity issued by the de-  
6 partment of public utilities; provided, however, that,  
7 if any such carrier was in bona fide operation as a  
8 common carrier by water on August first, nineteen  
9 hundred and forty-seven, over the route or routes or  
10 between the ports with respect to which application is  
11 made and has so operated since that time, or, if en-  
12 gaged in furnishing seasonal service only, was in bona

13 fide operation during the seasonal period, prior to or  
14 including such date, for operations of the character in  
15 question, except, in either event, as to interruptions of  
16 service over which the applicant or its predecessor in  
17 interest had no control, the department shall issue such  
18 certificate without requiring further proof that public  
19 convenience and necessity will be served by such  
20 operation, and without further proceedings.

---

---