

# HOUSE . . . . No. 1207

---

(See House, No. 1200, Section 34.)

---

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty.

An Act extending Public Control and Supervision in Respect to the Rates, Charges, Forms of Contract and Quality of Product of Gas, Electric and Water Companies to Include the Sale of Electricity in Bulk.

*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 ninety-four of chapter one hundred and  
2 sixty-four of the General Laws, as amended by sec-  
3 tion two of chapter three hundred and sixteen of the  
4 acts of nineteen hundred and twenty-seven is hereby  
5 further amended by striking out, at the twenty-third  
6 line, the words "except that a contract of a company  
7 whose sole business in the commonwealth is the supply  
8 of electricity in bulk need not be filed except as may  
9 be required by the department", — so as to read as  
10 follows:— *Section 94.* Gas and electric companies  
11 shall file with the department schedules, in such form  
12 as the department shall from time to time prescribe,  
13 showing all rates, prices and charges to be thereafter  
14 charged or collected within the commonwealth for the

15 sale and distribution of gas or electricity, together  
16 with all forms of contracts thereafter to be used in  
17 connection therewith. Rates, prices and charges in  
18 such a schedule may, from time to time, be changed  
19 by any such company by filing a schedule setting forth  
20 the changed rates, prices and charges, but until the  
21 effective date of any such change no different rate,  
22 price or charge shall be charged, received or collected  
23 by the company filing such a schedule from those  
24 specified in the schedule then in effect; provided, that  
25 a company may continue to charge, receive and collect  
26 rates, prices and charges in accordance with a contract  
27 heretofore lawfully entered into, or, until the depart-  
28 ment otherwise orders, after notice to the company and  
29 a hearing and determination that public interest so  
30 requires, may sell and distribute gas or electricity  
31 under a special contract hereafter made at rates or  
32 prices differing from those contained in a schedule in  
33 effect, providing a copy of the contract in each in-  
34 stance is filed with the department. Unless the de-  
35 partment otherwise authorizes, the rates, prices and  
36 charges set forth in such a schedule shall not become  
37 effective until the first day of the month next after the  
38 expiration of fourteen days from the filing thereof.  
39 Such rates, prices and charges shall apply to the con-  
40 sumption shown by meter readings made after the  
41 effective date of such rates, prices and charges, unless  
42 the department otherwise orders. So much of said  
43 schedules shall be printed in such form and distributed  
44 and published in such manner as the department may  
45 require.

46 The department may investigate the propriety of  
47 any proposed rate, price or charge and may, pending  
48 such investigation and decision thereon, by order

49 served upon the company affected thereby, suspend  
50 the taking effect thereof, but not for a period longer  
51 than six months beyond the time when such rate,  
52 price or charge would otherwise become effective. An  
53 order by the department directing a change in any  
54 schedule filed shall have the same effect as if a schedule  
55 with such changes were filed by the company, and  
56 shall become effective from such time as the depart-  
57 ment shall order.

58 The department may, upon its own initiative, where  
59 a company has been serving the consumer for more  
60 than three years under a special contract or contracts,  
61 after notice and a hearing, make such orders relative  
62 to the rates, prices and charges covered by such a con-  
63 tract as it deems the public interest requires. Any  
64 order made under the provisions of this section or of  
65 section ninety-three may be enforced as provided in  
66 section seventy-nine. This section shall not apply to  
67 contracts for the sale of electricity to an electric com-  
68 pany made in accordance with the provisions of  
69 section ninety-four A except as therein provided.

