

By Mr. Ahearn of Norwood, petition of John R. Buckley and other members of the House for legislation to establish the Massachusetts state power authority. Government Regulations.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT TO CREATE THE MASSACHUSETTS STATE POWER AUTHORITY.

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. *Declaration of Policy.*—The availability of
2 electric energy at low cost and properly coordinated sources
3 and transmission of such energy is hereby declared to be in
4 the general public interest. The people of the commonwealth
5 of Massachusetts, finding that the abundance or scarcity of
6 low cost electricity largely governs the rate of agricultural
7 and industrial productivity and the standard of living, do
8 hereby declare that it is the policy of the state: (a) To en-
9 courage and promote conservation of water power resources
10 as a heritage of the people of the commonwealth;

11 (b) To insure that electric energy shall be made available
12 without widespread interruption to the users at the lowest
13 possible cost; and

14 (c) To encourage the most widespread use of electric energy
15 for all purposes.

1 SECTION 2. *Massachusetts State Power Authority.*—For
2 the purpose of effectuating the policy herein declared, there is
3 hereby created within the department of public utilities, but
4 not subject to its control, an agency of the commonwealth to
5 be known as the Massachusetts State Power Authority. here-
6 inafter called the authority, which shall be a body corporate,
7 which shall have subject to its control the powers and duties

8 hereinafter enumerated, together with such others as may
9 hereafter be conferred upon it by law.

1 SECTION 3. *Directors.* — The affairs of the authority shall be
2 managed by a non-partisan board of five directors, appointed
3 by the governor, for a term of six years; except those first
4 appointed, one shall be for a term of two years, two for a term
5 of four years, and two for a term of six years. No more than
6 three of the directors may be from either one of the two major
7 parties, and all directors shall be citizens of the United States.
8 The governor shall designate one director to act as chairman of
9 the board. The directors shall receive twenty-five dollars per
10 diem and necessary reasonable expenses incurred in the per-
11 formance of their duties.

1 SECTION 4. *Employees: Expenses.* — The directors shall
2 from time to time retain such employees and services as they
3 may require for the performance of their duties and shall
4 prescribe the duties and reasonable compensation of each
5 such employee and/or service. They shall adopt by-laws
6 suitable to the purposes for which this authority is created.
7 To the extent that the authority is dependent upon appro-
8 priations from the legislature for the payment of its expenses,
9 it shall incur no obligations for salary, office or other expenses
10 prior to the making of appropriations adequate to meet the
11 same.

1 SECTION 5. *Powers and Duties.* — Subject to the conditions
2 and limitations herein provided, the authority is authorized
3 and directed:

4 1. To conduct a study and investigation of the availability of
5 electric energy, including atomic or other sources, and the
6 manner best suited to make such energy available to the people
7 of the state, and take the necessary steps to see that transmission
8 and wheeling arrangements are available to public and private
9 electric systems to best serve the needs of the people and in-
10 dustry of the state.

11 2. To cooperate, negotiate and contract with appropriate
12 agencies of the United States and other states of the United
13 States, and the Dominion of Canada and provinces therefor;

14 as well as other public or private agencies, for the purpose of
15 promoting the purposes of this act.

16 3. To negotiate and contract for the acquisition, trans-
17 mission and distribution of electric energy within the state,
18 under terms which will provide for the payment of all operating
19 and maintenance expenses, interest on and amortization and
20 reserve charges sufficient to retire the bonds of the authority,
21 if any, issued for the purposes of this act, and such other condi-
22 tions and provisions as will permit full compliance with the policy
23 herein expressed. The authority is authorized to exercise all
reasonable corporate powers necessary or convenient to carry
25 out and effectuate the purposes and provisions of this act. If
26 wheeling contracts are arranged by the authority between any
27 of the power systems, within or without the state, public or
28 private, the authority is hereby empowered to assess the benefit-
29 ing parties for any reasonable expenses for the work involved
30 therein.

31 4. If the authority determines that interconnection with
32 the transmission lines of a company is necessary, and, if the
33 authority is unable to enter into an agreement with the said
34 company for such interconnection, the department of public
35 utilities shall, upon petition by the authority, determine the
36 terms and conditions under which such interconnection may
37 be made and shall enter appropriate orders directing the au-
38 thority and company to enter into such agreement.

1 SECTION 6. *Construction.* — The authority is authorized to
2 proceed with the physical construction of generating facilities,
3 transmission lines, and other transmission facilities as may be
4 necessary to produce or deliver the energy, acquired or developed
5 pursuant to the provisions of this act, if found essential to the
6 public interest.

SECTION 7. *Contracts.* — Contracts negotiated under the
2 authority of this act, and all official records pertaining thereto,
3 shall be available for public inspection.

1 SECTION 8. *Bonds.* — The authority is hereby authorized to
2 issue its negotiable bonds for the purpose of financing any

3 work authorized by this act. Such bonds shall be the general
4 obligation of the authority payable out of any particular moneys
5 or revenues of the authority; provided, however, that the
6 authority shall have no power at any time to pledge the credit of
7 the state nor shall any of its obligations or securities be deemed
8 to be obligations of the state.

1 SECTION 9. *Repayment.* — All appropriations made by the
2 state to the authority shall be treated as advances by the
3 state and shall be repaid without interest by the authority
4 either out of the proceeds of any bonds issued by the authority
5 or out of revenues of the authority, obtained by reasonable
6 assessment against contracts arranged by them or otherwise.

1 SECTION 10. *Eminent Domain.* — The authority shall have
2 and exercise the right of eminent domain, under the provisions
3 of chapter seventy-nine.

1 SECTION 11. *Reports.* — The authority shall report annually
2 to the governor and to the legislature concerning its operations.

1 SECTION 12. *Appropriation.* — There is hereby appropriated
2 the sum of ten thousand dollars which shall be available to the
3 authority as a loan as herein provided.

1 SECTION 13. This act shall take effect upon its passage.