

By Mr. Grenier of Spencer, petition of Henry R. Grenier for legislation to reduce energy costs in the Commonwealth by promoting conservation through improved regulation of public utilities. Government Regulations.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Five.

**AN ACT TO REDUCE ENERGY COSTS IN THE COMMONWEALTH BY PROMOTING CONSERVATION THROUGH IMPROVED REGULATION OF PUBLIC UTILITIES.**

*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. It is hereby determined that the continued esca-  
2 tion in energy costs for the consumers and industries of the Com-  
3 monwealth threatens to devastate the economy and depress the  
4 standard of living of its citizens. It is further determined that the  
5 overriding objective of energy policy in the Commonwealth is the  
6 long-term reduction in the demand for and consumption of non-  
7 renewable energy supplies through comprehensive planning for  
8 conservation of energy and promotion of renewable energy sour-  
9 ces. It is further determined that this policy cannot be successfully  
10 implemented unless the regulated public electric and gas utility  
11 companies of the Commonwealth are required to base long-term  
12 planning for new investment and operating practices on those  
13 goals.

1 SECTION 2. Section 69I of chapter 164 of the General Laws is  
2 hereby amended by striking the first four paragraphs.

1 SECTION 3. The council shall conduct a public hearing on  
2 every notice of intention to construct an oil facility within six  
3 months of the filing thereof. Such hearing shall be an adjudicatory

4 proceeding under the provisions of chapter thirty A. In addition, a  
5 public hearing shall be held in each locality in which an oil facility  
6 contained in a notice of intention to construct such facility is  
7 located.

8 The council by majority vote shall within twelve months from  
9 the date of filing approve a notice of intention to construct an oil  
10 facility, or within twenty-four months from the date of filing a  
11 notice of intention to construction an oil facility for the refining of  
12 oil designed so that more than thirty-five percent of its output  
13 could be gasoline or refined oil products lighter than gasoline, if it  
14 determines that it meets the following requirements: all informa-  
15 tion relating to current activities, environmental impact, facilities  
16 agreements and energy policies as adopted by the commonwealth  
17 is substantially accurate and complete; all information regarding  
18 sources for supply for such facility and financial information  
19 regarding the applicant and its proposed facility are substantially  
20 accurate and complete; the council is satisfied as to the adequacy of  
21 the applicant's capital investment plans to complete its facility, the  
22 long term economic viability of the facility, the overall financial  
23 soundness of the applicant, the qualification and capability of the  
24 applicant in the trans-shipment, transportation, storage, refining  
25 and marketing of oil or refined oil products, and that plans includ-  
26 ing buffer zones or alternatives thereto for the applicant's new  
27 facility are consistent with current health, environmental protec-  
28 tion and resource use and development policies as adopted by the  
29 commonwealth.

30 The authority of the council to conduct public hearings under  
31 the provisions of section sixty-nine J may be delegated in whole or  
32 in part to employees of the council or to the department. Pursuant  
33 to the rules of the council such department or employees of the  
34 council shall report back to the council with tentative decisions for  
35 final action thereon by the council.

1 SECTION 4. Section 69L of said chapter 164 is hereby amend-  
2 ed by striking in sub-section A(3) the words: "A copy of the  
3 long-range plan", and inserting in place thereof the following: "A  
4 copy of the long-range plan of the electric or gas company as most  
5 recently approved by the department of public utilities."

1 SECTION 5. Section 69R of said chapter 164 is hereby amended  
2 by striking the words: "proposed long-range electric power or gas  
3 forecast submitted in accordance with section sixty-nine I", and  
4 inserting in place thereof the following: "long-range plan of the  
5 electric or gas company as most recently approved by the depart-  
6 ment of public utilities."

1 SECTION 6. Said chapter 164 is hereby further amended by  
2 inserting after section 76 the following: —

3 *Section 76A.* Every electric company shall, individually or  
4 jointly with others, file with the department a long-range plan with  
5 respect to meeting the electric power needs and requirements of its  
6 market area, taking into account wholesale bulk power sales or  
7 purchases or other cooperative arrangements with other electric  
8 companies, for the ensuing ten-year period. The first such plan  
9 shall be filed on or before February first, nineteen hundred and  
10 eighty-four, and subsequent long-range plan shall be filed on or  
11 before December thirty-first, nineteen hundred and eighty-seven,  
12 and every fifth year thereafter. Every gas company shall individu-  
13 ally or jointly with others, file with the department a long-range  
14 plan with respect to meeting the gas requirements of its market  
15 area, taking into account wholesale bulk gas sales or purchases or  
16 other cooperative arrangements with other gas companies, for the  
17 ensuing five-year period. The first such plan shall be filed on or  
18 before February first, nineteen hundred and eighty-four, and sub-  
19 sequent long-range plans shall be filed on or before December  
20 thirty-first, nineteen hundred and eighty-seven and every fifth year  
21 thereafter. As regional plans covering longer time periods are  
22 developed, they shall be filed with the department. Said plans shall  
23 include, in such form and detail as the department shall prescribe,  
24 the following information:

25 (1) a description of all then existing agreements with other elec-  
26 tric or gas companies for joint planning or joint forecasting of elec-  
27 tric power or gas needs and the purchase or sale of electric power or  
28 gas or reserve capacity.

29 (2) A forecast of the electric power needs or gas requirements for  
30 its market area, together with a forecast of the amount by which  
31 such needs may be reduced through adoption of comprehensive

32 programs for promotion of conservation, taking into account  
33 wholesale bulk power or gas sales or purchases, or other coopera-  
34 tive arrangements with other utilities and energy policies as  
35 adopted by the commonwealth.

36 (3) A description of actions planned to be taken by the company  
37 which will promote conservation and reduce demand for electric  
38 power or gas supplies in its market area; a description of alterna-  
39 tives to planned action for this objective and of the relative costs,  
40 advantages and disadvantages of such alternatives; a description of  
41 actions which, if taken by the commonwealth, would further pro-  
42 mote conservation and reduce demand for electric power or gas  
43 supplies in the company's market area; and estimates of the  
44 amount by which demand for electric power or gas supplies in the  
45 company's market area can be reduced by each planned action,  
46 alternative thereto, and proposed action by the commonwealth.

47 (4) A description of actions planned to be taken by the company  
48 which will affect capacity to meet such needs or requirements, after  
49 implementation of such planned actions to promote conservation  
50 and reduce demand, including, but not limited to: expansion,  
51 reduction, or removal of existing facilities; construction or acquisi-  
52 tion of additional facilities; a description of alternatives to planned  
53 action such as other methods of generating, manufacturing or  
54 storing, other site locations, other sources of electrical power or  
55 gas, and no additional electrical power or gas; a description of the  
56 environmental impact of each proposed facility, provided, how-  
57 ever, that the above provisions shall not apply to facilities which  
58 have been approved by the department as part of a previous  
59 long-range plan or supplement thereto unless so ordered by the  
60 department. The department shall after public notice and a period  
61 for comment be empowered to issue and revise its own list of  
62 guidelines for such plans. The department shall conduct a public  
63 hearing on each long-range plan proposed by a company. The  
64 department shall investigate such proposed plan and shall, within  
65 six months from the date of filing, approve or modify such plan in  
66 accordance with the following requirements: all information relat-  
67 ing to current activities, environmental impact, facilities agree-  
68 ments and energy policies as adopted by the commonwealth is  
69 substantially accurate and complete; projections of the demand for

70 electric power, or gas requirements, for reduction of such demand  
71 through promotion of conservation, and of the capacities for exist-  
72 ing and proposed facilities are based on substantially accurate  
73 historical information and reasonable statistical projection meth-  
74 ods; projections relating to service area, facility use and pooling or  
75 sharing arrangements are consistent with such forecasts of other  
76 companies in the New England area; plans for investment by the  
77 company in promotion of conservation to reduce demand for  
78 electric power or gas supplies have given priority to all cost-  
79 effective means to achieve such reduction in demand over invest-  
80 ments in new or expanded capacity; the company has developed a  
81 plan for such conservation initiatives which includes all reasonable  
82 means available to the company for achieving such objectives;  
83 plans for expansion and construction of the applicant's new facili-  
84 ties are consistent with current health, environmental protection,  
85 and resource use and development policies as adopted by the  
86 commonwealth; have given preference to renewable over non-re-  
87 newable energy sources wherever such preference is reasonable  
88 with respect to long-term reduction in energy costs and security of  
89 energy supplies; and are consistent with the policy of the common-  
90 wealth to ensure a necessary power supply for the commonwealth  
91 with a minimum impact on the environment at the lowest possible  
92 cost.

1 SECTION 7. Said chapter 164 is hereby further amended by  
2 inserting after section 93 the following three sections: —

3 *Section 93A.* In any proceeding to determine the rates, prices  
4 and charges for gas or electricity pursuant to section ninety-three  
5 or ninety-four, the department shall exclude from such rates, prices  
6 and charges any operating cost or investment which has been made  
7 or incurred by a gas or electric company subsequent to July thirty-  
8 first, nineteen hundred and eighty-four, unless such cost or invest-  
9 ment is consistent with a long-range plan for such company which  
10 has been approved by the department pursuant to section seventy-  
11 six A, and any operating cost or investment which is not consistent  
12 with such plan shall be deemed to have been imprudently incurred.  
13 Nothing in this section shall preclude the department from deter-  
14 mining on other grounds that any other cost or investment has

15 been imprudently incurred or is otherwise not subject to recovery  
16 by the company in its schedule of rates, prices and charges.

17 *Section 93B.* Any electric or gas company which, with respect  
18 to any year, exceeds the maximum allowed rate of return approved  
19 by the department for such company in the most recent proceeding  
20 to fix the rates, prices and charges of such company pursuant to  
21 section ninety-three or section ninety-four, shall promptly file with  
22 the department a schedule which shall provide for the rebate to the  
23 customers of such company of the amount by which the net income  
24 of the company exceeded the maximum allowed rate of return for  
25 the preceding year. Such rebate shall be achieved through a reduc-  
26 tion in the rates, prices and charges to the customers of such  
27 company during the succeeding twelve months. The department  
28 may, on its own motion, investigate the rates, prices and charges of  
29 any company which fails to file a schedule of rebates when required  
30 by this section, and shall order compliance with the requirements  
31 of this section and such other relief as is appropriate.

32 *Section 93C.* The department shall, not later than July first,  
33 nineteen hundred and eighty-four, complete implementation of  
34 revised rates, prices and charges for every electric company to  
35 encourage conservation pursuant to the Public Utilities Regula-  
36 tory Policy Act. As part of such revised rates, prices, and charges,  
37 the department shall require that each electric company establish a  
38 lifeline rate for not less than the first three-hundred and fifty  
39 kilowatt hours of electricity per month used by each residential  
40 customer, which shall not exceed the average rate of such company  
41 per kilowatt hour of electricity sold to all retail customers of such  
42 company. The department shall require that reduction in revenues  
43 of a company resulting from such lifeline rate be recovered equally  
44 from all classes of customers other than municipal and church  
45 customers and customers who used electric resistance heat as of  
46 January first, nineteen hundred and eighty-four.

The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1900, in the several townships of the County of York, Ontario, as shown on the returns filed with the County Clerk, at the County Court, at York, Ontario, on the 10th day of October, 1900.

**The Township of Scarborough**

Justice of the Peace

1. Mr. J. H. [Name]

Justice of the Peace

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The first part of the report is devoted to a general  
 description of the country and its resources. It  
 is followed by a detailed account of the  
 various industries and occupations of the  
 people. The report then proceeds to a  
 description of the climate and the  
 diseases which prevail in the country.  
 The last part of the report is devoted to  
 a description of the government and  
 the laws of the country.