

HOUSE No. 6452

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES[July 2, 1975.

The committee on Government Regulations, to whom was referred so much of the message from His Excellency the Governor recommending legislation relative to the method of funding the operation of the Department of Public Utilities (House, No. 6142) as relates to providing for the reimbursement by certain regulated utilities of certain costs of operation of the Department of Public Utilities (App. A), report recommending that the accompanying bill (House, No. 6452) ought to pass.

For the committee,

ROBERT B. AMBLER.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR THE REIMBURSEMENT BY CERTAIN REGULATED UTILITIES OF CERTAIN COSTS OF OPERATION OF THE DEPARTMENT OF PUBLIC UTILITIES.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is, in part, to provide for reimbursemen
3 to the commonwealth of certain expenses of the department of
4 public utilities, it is hereby declared to be an emergency law,
5 necessary for the immediate preservation of the public health,
6 safety and convenience.

*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. Chapter 25 of the General Laws is hereby
2 amended by inserting after section 17 the following new
3 sections:—

4 *Section 18.* The commission is hereby authorized to make an
5 assessment in each fiscal year against each electric, gas, telephone
6 and telegraph company under the jurisdictional control of the
7 department, based upon the intrastate operating revenue of each
8 of said companies derived from sales within the commonwealth
9 of electric, gas, telephone and telegraph service respectively, as
10 shown in the annual report of each of said companies to the
11 department. Said assessments shall be made at a rate not
12 exceeding one tenth of one per cent as shall be determined and
13 certified annually by the commission as sufficient to produce not
14 more than two million dollars in revenue to reimburse the
15 commonwealth for funds appropriated for the operation of th
16 department, except for funds for the use of the commercial motor
17 vehicles division and the railway and bus division.

18 Said assessments shall reimburse the commonwealth for funds
19 appropriated in the general appropriation act for the current
20 fiscal year, and for funds appropriated in the prior fiscal year in
21 acts other than the general appropriation act for which the

22 assessment in the prior fiscal year did not reimburse the
23 commonwealth.

24 Assessments under this section may be credited to the normal
25 operating cost of each company.

26 *Section 18A.* On or before October first in any fiscal year, or
27 within ninety days after the passage of the general appropriation
28 act for said fiscal year if said act is not enacted into law until after
29 August first, the commission shall certify to the commissioner of
30 corporations and taxation the amount of assessment to be made
31 and the name and address of each company against whom such
32 assessment is to be made. Such assessment shall be collected by
33 the commissioner of corporations and taxation in accordance
34 with applicable provisions of chapter sixty-three of the General
35 Laws; provided, however, that each company shall pay the
36 amount assessed against it within thirty days from the receipt of
37 notice of assessment from the commissioner of corporations and
38 taxation. The amount so collected shall be credited to the General
39 Fund.

1 SECTION 2. The provisions of the second paragraph of
2 Section 18 of Chapter 25 of the General Laws, inserted by section
3 one of this act, shall not apply to the assessment made in fiscal
4 year nineteen hundred and seventy-six insofar as it requires
5 reimbursement for funds appropriated in any act for use in fiscal
6 year nineteen hundred and seventy-five.

