

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 364) of Mark C. Montigny, Robert A. Durand, Stanley C. Rosenberg, Brian J. McDonald and Robert M. Koczera for legislation to further regulate public utility rates in certain economically depressed areas of the Commonwealth. Government Regulations.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Four

AN ACT TO FURTHER REGULATE PUBLIC UTILITY RATES IN CERTAIN ECONOMICALLY DEPRESSED AREAS OF 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 SECTION 1. Section 1 of Chapter 164 of the General Laws, as  
2 appearing in the 1990 Official Edition, is hereby amended by  
3 inserting after the fifth paragraph the following paragraphs: —

4 “Economically depressed area,” a county of the Commonwealth  
5 where the current unemployment rate exceeds the average  
6 statewide unemployment rate by two percent or more or a county  
7 of the Commonwealth where the decrease in corporate or personal  
8 income for the past fiscal year exceeds the average statewide  
9 decrease by two per cent or more.

1 SECTION 2. Section 94 of Chapter 164 of the General Laws,  
2 as appearing in the 1990 Official Edition, is hereby amended by  
3 adding the following paragraph: —

4 The department shall investigate the propriety of return on  
5 investment of each company operating in economically depressed  
6 areas of the Commonwealth. The department shall review the cur-  
7 rent unemployment rate for each particular area, the decrease in  
8 personal and corporate income for the past fiscal year in that area,  
9 and any economic indicator of the state of that area’s economy.

10 The department shall insure that the return on investment of  
11 each company collected by gas and electric companies reflects the

12 relative economic weaknesses of economically depressed areas of  
13 the Commonwealth. In order to effectuate this legislative purpose,  
14 the department may reduce or temporarily freeze a company's  
15 return on investment for any particular area, as it deems the public  
16 interest requires.