

By Mr. Morrissey, a petition (accompanied by bill, Senate, No. 400) of Michael W. Morrissey, Vincent P. Ciampa, Stephen F. Lynch and the Massachusetts Alliance of Utility Unions, AFL-CIO, by Paul Loughran, chairman, for legislation to ensure safety and reliability in the transition of ownership of electric generating facilities. Government Regulations.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-Seven.

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**AN ACT TO ENSURE SAFETY AND RELIABILITY IN THE TRANSITION OF OWNERSHIP OF ELECTRIC GENERATING FACILITIES.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Notwithstanding any other law to the contrary and pursuant to  
2 its statutory duty under the provisions of G.L. Chapter 164, secs.  
3 76 et. seq., to supervise electric companies and to establish rea-  
4 sonable rules and regulations to carry out the administration  
5 thereof, the Department of Public Utilities shall take the following  
6 action:

7 In order to ensure the continued safe and reliable operation of  
8 electric generation facilities, the Department shall require in any  
9 proceeding under G.L. Chapter 164, including but not limited to  
10 its orders on Electric Industry Restructuring (DPU 95-30, 96-100)  
11 involving the sale, spin-off or transfer of ownership of a public  
12 utility generating facility, for transactions initiated after January 1,  
13 1997, that the selling electric company contract with the acquirer  
14 of the facility for the selling electric company, an affiliate, or suc-  
15 cessor corporation to operate and maintain the facility for at least  
16 three years after the acquisition. The Department shall require the  
17 contracts be reasonable for the seller and the acquirer.

