

The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

September 16, 1996

19

NOTICE OF PROPOSED RULEMAKING

D.P.U. 96-90

Investigation by the Department of Public Utilities upon its own motion, pursuant to G.L. c. 25, § 5; G.L. c. 164, §§ 76C, 94; G.L. c. 165, §§ 1B, 2, 4, and 220 C.M.R. §§ 2.00 et seq., commencing a rulemaking to rescind 220 C.M.R. § 76, and to amend 220 C.M.R. § 31.

On February 7, 1996, Governor Weld issued Executive Order 384 ("E.O. 384") to reduce unnecessary regulatory burden. E.O. 384 required the Department of Public Utilities ("Department"), and all other state agencies under Governor Weld's supervision, to review every regulation under its jurisdiction and to retain or modify only those regulations which are mandated by law or essential to the health, safety, environment or welfare of the Commonwealth's residents. The Department has conducted such a review and, pursuant to G.L. c. 25, § 5; G.L. c. 164, §§ 76C, 94; G.L. c. 165, §§ 1B, 2, 4, and G.L. c. 30A, §§ 2-7, proposes to rescind the following Department regulation related to the Department's rates and revenue requirements:

220 C.M.R. § 76 - Tariffs, Schedules and Contracts (other than Commercial Motor Vehicles). This regulation duplicates most of 220 C.M.R. § 5.00.

The Department proposes to modify the following regulation related to the Department's rates and revenue requirements:

220 C.M.R. § 31- Optional formula for determining allowed rates of return on equity for water companies. The Department intends to investigate the allowed range on a water utility's return on equity.

In addition to seeking comment on the above proposed changes, the Department invites interested persons to comment on whether any of the Department's other regulations related to rates and revenue requirements should be amended.

A copy of the Department's draft regulations in this proceeding may be obtained upon request from Mary L. Cottrell, Secretary, Department of Public Utilities, 100 Cambridge Street, Boston, Massachusetts 02202. Any interested person may submit an original and three (3) copies of written comments on any proposed changes to Department regulations related to rates and revenue requirements. These written comments shall be addressed to the Department and sent to Mary Cottrell, Secretary, at the address noted above, no later than WEDNESDAY, OCTOBER 16, 1996. The Department will conduct a public hearing to receive oral comment on Department regulations related to the Department's rates and

Consent Communication #19

S-473

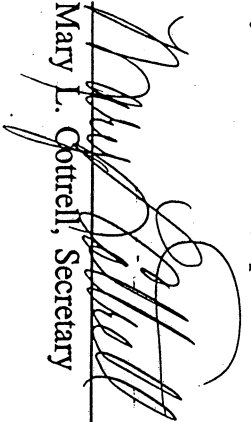
Communication was received from Department of Public Utilities transmitting notice to rescind the regulations to the Department's rates and revenue requirements.

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revenue requirements at 10 a.m on WEDNESDAY, OCTOBER 23, 1996, at the Department's offices, 100 Cambridge Street, Boston, Massachusetts.

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By Order of the Department,


Mary L. Cottrell, Secretary

In City Council September 30, 1996

Referred to the City Manager.