

Record Groups ER

# Energy Resources

Repository:  
Massachusetts Archives  
220 Morrissey Blvd  
Boston, MA 02125

Reviewed 2020-08-11

**Record Group List:**

- Massachusetts Energy Facilities Siting Council (ER2)

**Record Group Descriptions and Related Series:****Record Group Number: ER2****Record Group Name: Massachusetts Energy Facilities Siting Council****Historical Note:**

The Energy Facilities Siting Council (its official name) operates under the authority of MGLA c 164, which regulates the manufacture and sale of gas and electricity in the Commonwealth. Its establishment as the Electric Power Facilities Siting Council by St 1973, c 1232 was intended to remedy the haphazard electrical power facilities siting process and to give the public a forum for involvement. The council was to implement energy policies outlined in MGLA c 164, providing a necessary power supply with a minimum of impact on the environment at the lowest possible cost.

The council's membership was initially comprised of the secretary of consumer affairs, under whose office the council was grouped, the secretary of communities and development, the secretary of environmental affairs, and the secretary of human services or their designees, and three appointees of the governor, one experienced in conservation and environmental protection, one experienced in the electric power industry, and one a professional engineer.

As stated in its original mandate the council is required to review long-range forecasts of supply and demand from all electric utilities. These forecasts are ten-year plans to be filed by each utility every five years. They include intentions to expand or remove an existing facility or to build a new one. An annual supplement showing major changes in these long-range plans is also required. As part of its responsibility to review and approve or disapprove plans, the council holds public hearings on each plan and on each proposed new facility. It also hears petitions to issue certificates of environmental impact and public need to utilities for proposed electric facilities whose construction or operation is otherwise obstructed by state or local agencies. Additional responsibilities include approving applications for national pollution and discharge elimination system permits and authorizing utilities to take land for proposed sites by eminent domain if necessary. St 1974, c 852 broadened the function of the council to include promoting a reliable, adequate, economical, and safe supply of natural gas through oversight of facilities for the

transmission of natural gas and the manufacture or storage of liquefied or synthetic natural gas or propane. The body was renamed the Energy Facilities Siting Council and its membership enlarged to include a representative of the natural gas industry.

In 1975, in response to perceived petroleum shortages, an emergency law (St 1975, c 617) was enacted to regulate through the council the siting of oil facilities within the Commonwealth. The council's membership was again changed to include the secretaries of administration and finance and of manpower affairs, replacing the secretaries of communities and development and of human services, while the number of gubernatorial appointees was also increased to include a representative of the petroleum industry. St 1977, c 167 similarly provided for a representative of organized labor.

An emergency law in 1979 established the Executive Office of Energy Resources to coordinate and promote energy conservation (St 1979, c 796). Under this legislation the new secretary of energy resources replaced the secretary of administration and finance as a member of the council and became its chair, effectively placing the council under the new office. In the same year, permitting and licensing of hydroelectric power generation were included under the authority of the council (St 1979, c 804). Responsibilities for solar, geothermal, and wind energy were added by St 1986, c 466.

The council is supported by filing fees collected annually from utilities. (By St 1980, c 572, responsibility for setting these filing fees was removed from the council and assigned to the secretary of administration and finance.) It works closely with other state agencies to insure efficient regulation of utilities. The council provides information on its decisions to the Department of Public Utilities, which sets rates; and technical support in such matters as conservation financing and coal gasification to the Executive Office of Energy Resources, with whom it collaborates to develop hydroelectric facilities. The council also works with the Massachusetts Environmental Policy Act (MEPA) Unit and other environmental agencies to insure consistency of environmental review in such areas as herbicide use, wetlands protection, and construction permits.

Additional Description: <http://www.worldcat.org/oclc/86132215>

### **Related Series:**

#### **Hydroelectric generating facility licensing case files, 1981-**

Identifier: ER2/811

Extent: 8 cubic feet

Arranged: Arranged by case number

Additional Description: <http://www.worldcat.org/oclc/122560354>