HOUSE DOCKET, NO. 1842 FILED ON: 1/20/2011

HOUSE . . . . . No. 1766

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Kane

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relating to the Pioneer Valley Energy Center..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael F. Kane	*5th Hampden*

HOUSE DOCKET, NO. 1842 FILED ON: 1/20/2011

HOUSE . . . . . No. 1766

By Mr. Kane of Holyoke, a petition (accompanied by bill, House, No. 1766) of Michael F. Kane relative to the regional electric generating project in the city of Westfield known as the Pioneer Valley Energy Center. Telecommunications, Utilities and Energy

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1887* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relating to the Pioneer Valley Energy Center..

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

SECTION 1. "PVEC" as used in this act shall mean the land, facilities, and equipment of the regional electric generating project in Westfield, Massachusetts known as the Pioneer Valley Energy Center.

"MLPs" as used in this act shall mean municipal lighting plants and municipal lighting plant cooperatives, including, but not limited to, municipal lighting plants of Westfield, Chicopee, Holyoke, South Hadley and the Western Massachusetts Public Utilities Cooperative.

"MLP Ownership Interests" as used in this act shall mean fractional tenancy-in-common ownership interests in the fee or leasehold of PVEC held by MLPs.

SECTION 2. Notwithstanding the provisions of sections 34 to 69S, inclusive, of chapter 164 of the General Laws, section 3 of chapter 40 of the General Laws, and notwithstanding the provisions of any general or special law to the contrary, MLPs may acquire MLP Ownership Interests in a portion, but less than all, of PVEC.

SECTION 3. The acquisition of MLP Ownership Interests in a portion, but less than all, of PVEC by MLPs shall not deem PVEC or any MLP Ownership Interests therein a public corporation, body politic and corporate or any other public instrumentality.

16 SECTION 4. Sections 38A1/2 to 38O, inclusive, of chapter 7 of the General Laws,
17 section 20A of chapter 9 of the General Laws, sections 39A to 39S, inclusive, of chapter 30 of
18 the General Laws, sections 25 to 44J, inclusive, of chapter 149 of the General Laws, chapter
19 149A of the General Laws, and regulations promulgated under these sections of the General
20 Laws, or any other provision of any general or special law governing the procurement by MLPs
21 of construction and design services shall not apply to the design, construction, operation or
22 maintenance of PVEC or any of the MLP Ownership Interests therein.

23 SECTION 5. This act shall take effect upon its passage.