

An Initiative Petition for a Law to Promote Consent and Transparency in Gas Utility Billing

Be it enacted by the People, and by their authority:

An Initiative Petition for a Law to Promote Consent and Transparency in Gas Utility Billing

SECTION 1. Purpose.

The purpose of this act is to prevent ratepayers from being involuntarily charged for programs, surcharges, tariffs, or other cost recovery mechanisms that are not directly related to the physical delivery of gas. This act requires affirmative, written consent before such charges may be imposed, defines the scope of delivery-related charges, establishes a cap on non-delivery-related charges in the absence of consent, and ensures that billing is clear and transparent. All provisions of this act are intended to advance the single public policy of ensuring consent and transparency in gas utility billing through informed, affirmative ratepayer consent.

SECTION 2 Definitions.

As used in this act, the following terms shall, unless the context clearly requires otherwise, have the following meanings:

"Affirmative, written election" shall mean an explicit written or electronic authorization by a ratepayer, submitted through a form, secure web portal, or other verifiable medium approved by the Department, indicating the ratepayer's intent to participate in a specific cost recovery program. Failure to opt out, default enrollment, or inaction shall not constitute affirmative consent.

"Non-delivery-related charges" shall mean any charge, fee, adjustment, rider, surcharge, or rate component imposed on a ratepayer that is not directly attributable to the physical infrastructure used to deliver gas or to system maintenance necessary for the safe and reliable

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Initials:

1. EDS 2. ADF 3. LLC 4. PAG 5. JK 6. KAMB 7. cgm 8. CLW 9. JBW
10. SAL 11. 3AM 12. SAW 13. SLY 14. WCC 15. JP 16. LG 17. SL
18. AM 19. _____ 20. _____

operation of any gas delivery system. This term shall include, but not be limited to:

- (i) charges for energy efficiency, demand-side management, rebate, or incentive programs;
- (ii) charges imposed to fund public education, climate adaptation, or decarbonization initiatives;
- (iii) fixed ratepayer fees or administrative charges not associated with delivery-related infrastructure.

"Infrastructure-based delivery charges" shall mean charges imposed on ratepayers that are directly and exclusively related to the operation, maintenance, depreciation, or authorized return on investment of physically constructed and in-service infrastructure necessary for the delivery of gas to the ratepayer's point of use. Such charges shall include only:

- (i) distribution charges for gas, including line maintenance and service restoration;
- (ii) metering equipment, or related delivery infrastructure placed in service on or before January 1, 2027;
- (iii) transition charges authorized under section 1G of chapter 164 of the General Laws;
- (iv) charges approved by the Federal Energy Regulatory Commission, provided that nothing in this act shall be construed to alter the jurisdictional authority of said Commission under federal law.

SECTION 3. Comprehensive Opt-In Requirement.

1. Chapter 164 of the General Laws is hereby amended by inserting the following Section 149:

"Section 149. Gas Adjustment Charge Restrictions.

(a) Notwithstanding any general or special law to the contrary, the department shall not authorize any gas distribution company to recover, from any ratepayer who does not affirmatively opt in, any costs, revenue losses, investments, or charges associated with:

- (i) local distribution adjustment clauses, distribution adjustment charges, or any other

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1. FDS 2. ANF 3. LLC 4. RAR 5. TF 6. KAMB 7. CGM 8. CLW 9. DFW
10. AL 11. BAM 12. SAW 13. LY 14. wc 15. JB 16. LG 17. SLC
18. CM 19. _____ 20. _____

surcharge or rider used to recover costs outside of base rates;

(ii) energy efficiency programs, low-income assistance programs, environmental remediation, pension or benefits recovery, or infrastructure enhancement plans; or

(iii) any tariff, surcharge, or billing mechanism used to support such programs, projects, or cost recovery schemes.

(b) Participation in any such gas-related program or funding mechanism shall require an affirmative, written election by the ratepayer.”

SECTION 4. Aggregate Cap on Non-Delivery Charges.

Chapter 164 of the General Laws is hereby amended by inserting the following section after Section 1K:

“Section 1L. Aggregate Cap on Non-Delivery Charges.

(a) Notwithstanding any general or special law to the contrary, no ratepayer who has not affirmatively opted in to a program or funding mechanism described in Sections 19 through 21 of Chapter 25 or Section 139 of this chapter shall be assessed charges, fees, surcharges, or adjustments that, in the aggregate, exceed five percent of that ratepayer’s total monthly bill.

(b) For purposes of this section, charges subject to the cap shall include, but not be limited to:

(i) customer charges;

(ii) charges for energy efficiency programs, net metering credits, demand-side management, or clean energy incentives; or

(iv) any surcharge, rider, or tariff used to recover programmatic costs not associated with infrastructure-based delivery service.

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Initials:

1. EDS 2. ADF 3. LLC 4. RLR 5. TR 6. KAMB 7. CJM 8. CLW 9. DRJ
10. SM 11. BAM 12. SAW 13. RY 14. WLC 15. SP 16. LG 17. SLL
18. EMM 19. _____ 20. _____

(c) All delivery charges shall be grouped and itemized separately from supplier charges on each ratepayer's utility bill. Each delivery charge shall disclose:

- (i) the statutory or regulatory basis for the charge;
- (ii) the administering agency or program;
- (iii) the amount charged for the current billing period; and
- (iv) the total amount paid by the ratepayer year-to-date.

(d) Nothing in this section shall prohibit lawful recovery of delivery-related infrastructure costs, transition charges authorized under section 1G, or transmission charges approved by the Federal Energy Regulatory Commission to preclude lawful cost recovery authorized by federal statute or order."

SECTION 5. Utility Consent Mechanisms.

3. Section 21 of Chapter 25 of the General Laws is hereby amended in subsection (b), clause (2), by striking the following sentence:

"The department shall approve a fully reconciling funding mechanism for the approved plan and, in the case of municipal aggregators, a fully reconciling funding mechanism that requires coordination between the distribution company and municipal aggregator to ensure that program costs are collected, allocated and distributed in a cost effective, fair and equitable manner."

SECTION 6. Implementation Appropriations Limitation.

The department shall promulgate regulations to implement this act, including standards for verifying affirmative written election and procedures to prevent bundling, misrepresentation, or default enrollment. Nothing in this act shall be construed to require the department to undertake any duty, obligation, or enforcement action for which sufficient funding has not already been

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Initials:

1. EDS 2. ADF 3. LLC 4. RHS 5. JAP 6. KAMB 7. CGM 8. CLW 9. DRW
10. SAL 11. BAM 12. SAW 13. RHS 14. WCC 15. [Signature] 16. LG 17. SL
18. EMH 19. _____ 20. _____

appropriated. All such duties shall be carried out only to the extent that existing appropriations to the department permit, and no provision of this act shall be construed to require a new, additional, or specific appropriation.

SECTION 7. Severability.

If any section or provision of this act is found to be invalid or unconstitutional, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect and be construed to fulfill the primary purposes of ensuring consent and transparency in utility billing through informed, affirmative ratepayer consent.

SECTION 8. Effective Date.

This act shall take effect on the later of January 1, 2027, or as provided in Article 48 of the Amendments to the Massachusetts Constitution, as amended.

Signatures begin on the next page.




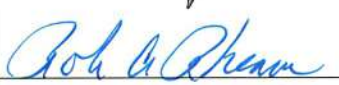


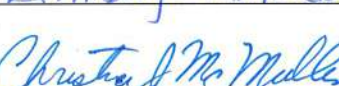
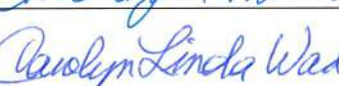
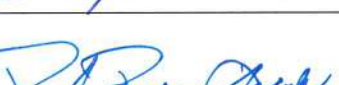
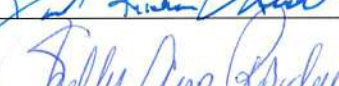


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Initials:

1. EDS 2. ANF 3. LLC 4. LFK 5. ~~W~~ 6. KAMB 7. com 8. PLLW 9. DRV
10. sm 11. BAM 12. saw 13. LG 14. LLC 15. ~~W~~ 16. LG 17. SLL
18. ~~W~~ 19. _____ 20. _____

The undersigned qualified voters of the Commonwealth of Massachusetts have personally reviewed the final text of this initiative petition, fully subscribe to its contents, agree to be one of its original signers and have signaled that agreement by initialing each page and signing the last, and hereby submit the measure for approval by the people pursuant to Article 48 of the articles of amendment of the Constitution of the Commonwealth of Massachusetts, as amended by Article 74 of said articles of amendment.

Name	Signature	Address	Date
Eliseu De Sousa		48 Davis Street New Bedford, MA 02746	8/5/25
Arreuda Davila Flores		117 Hart St. #5 Taunton, MA 02780	8/6/25
Lorie Lee Carpenter		30 Johnson St. Taunton, MA 02788	8/6/25
Robia Ann Phelan		536 DIVISION RD DARTMOUTH MA 02747	8/6/25
Tammy Ann Feisy		416 Chancery St. New Bedford, MA 02746	8/6/25
Kimberly Ann Mandorice		119 Carnegie Street Dartmouth, MA 02747	8/6/25
Christina J. McMullen		374 Sharps Lot Rd. Swansea MA 02777	8/6/25
Carolyn Linda Wade		80 Willis Street New Bedford, MA 02740	8/6/25
Doreen Richard Wade		80 Willis Street New Bedford, MA 02740	8/6/25
Shelley Ann Radclaux		24 Park Road Plymouth, MA 02360	8/6/25
BETH Ann McCormick		171 Sea St. Dennis Port, MA 02639	8/6/25
Sharon A Walsh		54 Highland Circle Halifax, MA 02338	8/6/25

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Name	Signature	Address	Date
Sharon Gossamer	Sharon Gossamer	25 OASIS way	8/6/25
William L. Gibelli	W. Gibelli	54 SPENCER DR PLYMOUTH, MA	8/6/25
Lisa Potter	Lisa Potter	38 Lakeview Pl. Taunton, MA	8/6/25
Linda Jean Gilbert	Linda J. Gilbert	703 Somerset Ave Taunton, MA 02780	08/06/25
Shamir Lopes	Shamir Lopes	433 Richmond St East Taunton, MA 02718	8/6/25
Erin M. Hellmuth	E. Hellmuth	214 Edge Hill Road Milton, MA 02186	8/6/25

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1. EDS 2. ADE 3. LLC 4. KMB 5. JAF 6. KMB 7. CJM 8. CLW 9. DRW
 10. SAL 11. Bam 12. SAW 13. JAF 14. LLC 15. JAF 16. LG 17. SL
 18. EMB 19. _____ 20. _____