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Interpretation Subcommittee Meeting Minutes

October 16, 2024

Conducted remotely via Microsoft Teams

1. The meeting was called to order by the Chair at 1:30 P.M.

The following Board members were present:

Ellen Dorian, Public Member (Chair)

John Bagni, MAVA Member

Paul J. Malagrifa, International Municipal Signal Association Member

Brendan E. Driscoll, Journeyman Electrician Member

Brian Ingram, State Fire Marshal Designee

Gerald Graham, Inspector of Wires Member

The following members of Board Staff were present:

Keith Gleason, Executive Director

Philip Chan, Board Counsel

Acknowledged public attendees:

Beverly Kennedy, Kennedy Seminars

Paul Kennedy, Kennedy Seminars

Michael Monahan, IBEW Local 103

1. Reviewed Minutes of the meeting on July 10, 2020

A motion was made by J. Bagni seconded by P. Malagrifa and so unanimously voted to VOTED: to approve the minutes as presented.

ROLL CALL VOTE:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ ABSTAINED</u>	<u>ABSENT</u>
J. Bagni	X			
G. Graham			X	
E. Dorian	X			
P. Malagrifa	X			
B. Ingram			X	
B. Driscoll	X			

2. Reviewed/Discussed Delegated correspondence from Steve McCarthy, Supervisor of Electrical Inspectors, Inspectional Services, City of Boston.

- a. Re: Utility work without easements on private property



- The Executive Director read the entirety of the email communication between Board staff and Steve McCarthy. Initially the question was posed as “*With no easements in place can Eversource hire an outside contractor to do work on private property?*”. It was subsequently added that the issue involved the mentioned utility allegedly proposing to subcontract with a company- initially contracted to conduct tree cutting- in order to conduct replacement of meters on private properties in the upcoming year 2025.
- B. Driscoll opined that he did not think licensure applied to the situation citing MGL c141§7 which exempts utilities from license requirements and the fact that replacement of meters supplied by the utility do not involve permitting and inspection.
- G. Graham expressed public safety concern given that there is a point of demarcation from the meter socket defined in MEC as part of the “premises wiring system” which is after the service point from the serving utility and there is great potential for electrical problems to occur on the premises resulting from meter replacement. He mentioned a past event in the vicinity of Norfolk County where several explosions occurred at the meter following a series of meter replacements by the utility. However, no complaints were filed related to the issue.
- P. Malagrifa believed that a third-party subcontractor cannot enjoy the same rights and privileges of MGL C141§7 not being employees of said Utility Company. He noticed that in his contracting experience a utility would never install a meter socket but rather it would be relegated it to the property owner to hire a licensed electrician.
- J. Bagni stated that as regards the Utility, MGL c141§7 states specifically that the meter installation or replacement is exempt from licensure and the inquiry does not mention meter sockets.
- G. Graham commented that he acknowledged MGL c141§7 and chooses to defer to CT metering not standard metering instrument on the issue.

The chair opened the discussion to public comment

- Michael Monahan commented that he has met with One Grid Solutions who confirmed they have been hired by Eversource and they plan to hire unlicensed workers to begin the project. He believed that an unlicensed subcontractor is not included in the exemption of MGL c141s7 and it was intended for utility employees.
- The chair summarized the issues through four points– 1. the discussion may warrant establishing whether subcontractors are included in the definition of employees; 2. the matter does not involve a current investigation or complaint; 3. the Board must abide by the current statute however outdated to the modern application; 4. the Board may consider if the BFPR should weigh in on the matter. Therefore, the chair proposed, by way of question to the subcommittee members, whether the subcommittee’s recommendation should be to table the discussion until there is an investigation.
- Counsel stated that utility employees is not included in MGL c141s7 explicitly but is rather an inference.
- G. Graham expressed a wish to have the matter brought back to the full Board for discussion.

- B. Ingram offered that the BSEE and BFPR’s standing workgroup may readily reconvene to consider the issue if it is so requested.
- On the Chair suggesting issuing a letter to the utility companies, counsel cautioned such action would be premature without any cases or facts in the matter and only serve in creating unnecessary tension.

After all discussion the subcommittee agreed overall that the subject does raise the potential for a public safety issue, however, there is insufficient information to act upon or discuss further. A motion was thus made by P. Malagrifa seconded by J. Bagni and so by a majority voted: to recommend that the Board take no action at this time other than keeping an eye on the issue.

ROLL CALL VOTE:

<u>MEMBER</u>	<u>AYE</u>	<u>NAY</u>	<u>RECUSED/ ABSTAINED</u>	<u>ABSENT</u>
J. Bagni	X			
G. Graham		X		
E. Dorian	X			
P. Malagrifa	X			
B. Ingram	X			
B. Driscoll	X			

3. **Discuss** other matters not reasonably anticipated 48 hours in advance of meeting. No matters reported.

4. **Adjournment**

At 2:45 P.M. A Motion was made to adjourn the subcommittee by P. Malagrifa and seconded by B. Driscoll and it was so unanimously voted.

Items relied upon during the open meeting.

1. Meeting agenda
2. Interpretation Subcommittee report Re: Utilities Exemption from licensure MGL C141§7 – issued. May 20, 2019
3. Correspondence: Steve McCarthy, Supervisor of Electrical Inspectors, Inspectional Services, City of Boston