



Sudbury, Massachusetts
Town Report 1969

Power & Light Legislation Filed

The year 1969 was one of considerable litigation in respect to the proposed overhead transmission lines in Sudbury. Various questions were finally settled by a decision of the Supreme Judicial Court. As the situation now stands, Edison must obtain the Department of Public Utilities' approval for the proposed Medway-Sudbury 230 kv line. The decision also ruled that Stock Farm Road should be treated as a public way and therefore Edison must obtain approval of the Selectmen for the line to cross this road.

Edison started construction of towers for the proposed line during the year in the Stock Farm Road area, but the work was stopped by Building Inspector Francis White. However, the ruling of the Supreme Judicial Court stated that the building bylaws of Sudbury can have no application to the proposed line or to its constituent electrical transmission structures and that construction could proceed if Edison is prepared to take the risk of later disapproval.

Edison has applied to the D.P.U. for a Certificate of Convenience and Necessity to enable it to build the proposed 230 kv line. It is expected that the Certificate will be granted. Edison has also filed with the Legislature several bills seeking to give the D.P.U. the power to grant street crossing rights. The various towns involved must do everything they can to see that the D.P.U. is not given such power. It is our opinion that the power and prestige of the Massachusetts Selectmen's Association should be actively and forcefully used to stop this legislation, which would remove from all the towns in the State the right to protect the health, safety, and convenience of their citizens as they may be threatened by high tension electric transmission lines.

This is especially important to Sudbury, for lack of street crossing permits is the only obstacle preventing Edison from building the proposed 115 kv line from South Sudbury to Maynard through the Sudbury River Valley.

Our Representative, Mrs. Ann Gannett, filed a bill in the 1969 Legislature which would have prohibited the future construction of overhead electric transmission lines within a radius of 30 miles of the State House in Boston. The bill failed to pass but our Committee was encouraged by the fact that 76 representatives voted in its favor. It is believed that the opposition was influenced by the fact that only the cities and towns within thirty miles of Boston would be benefited.

Mrs. Gannett has filed a revised bill to be considered by the 1970 session of the Legislature. This bill was drawn up by our Committee with the cooperation of the Selectmen and Mrs. Gannett. It provides that no overhead electric transmission lines carrying a voltage in excess of 15,000 volts may be constructed within a specified radius from the population centers of every city and town in the State. The extent of this radius would vary with the population of the individual municipalities. The bill would not prohibit the construction of all overhead transmission lines, but would keep them away from the population centers. We will make sure that every member of the House and Senate is made aware of the benefits of this bill.

The 1969 Legislative session enacted a bill which would provide for the gradual undergrounding of existing electric distribution lines. By the terms of this Act, any municipality may adopt an ordinance or bylaw which will require the utility to expend each year not less than two per cent of its gross revenues derived from its customers in said municipality for the undergrounding of its wires and the removal of its overhead facilities. The municipality in turn would agree that the utility could impose and collect a surcharge of two per cent on its total billing to each customer therein and also that the underground facilities constructed in accordance with the terms of the act would be taxed at only 25% of their value. The Power and Light Committee considers this act as a

good start in the right direction but feels that it has too many loopholes and restrictions to make it workable in its present form.

Our Committee is encouraged by the compromise solution of the long-standing controversy between the Massachusetts Electric Company and the towns in the Salem and Beverly area over the proposed construction of a 115,000 volt overhead transmission line to bring additional power to the Gloucester-Rockport area. The company has agreed to install a 23,000 volt underground line along a railroad right of way and has stated that its decision is "clearly a gamble that by 1978 . . . technological developments will economically permit placing higher voltage electrical lines underground." We could wish that Edison would adopt a similar spirit of compromise and good will toward its customers instead of requiring us to fight every step of the way to prevent the desecration of the Sudbury River Valley and the Sudbury countryside.

During 1969 we wrote to Governor Sargent urging him not to permit overhead transmission lines through the Pantry Brook Wildlife Area. He replied that he was deeply concerned with protecting the scenic beauty of the Commonwealth and that the Division of Fisheries and Game will consider all factors affecting fish and wildlife prior to any easement transactions with the Boston Edison Company.

Also, we recommended to the Selectmen and Mrs. Gannett that they go to Washington and urge the Department of the Interior not to grant Edison a permit to construct overhead lines through the Great Meadows National Wildlife Refuge. They reported that they had satisfactory talks with the Department officials.

As always we are grateful for the cooperation and assistance given us by the Selectmen

Alan Newton, Chairman
Dorothy Russell, Vice Chairman
Myles Standish, Jr.
John J. Hennessy
Robert C. Wellman