

220 CMR: DEPARTMENT OF PUBLIC UTILITIES

1.01: Scope and Construction

- (1) Procedure Governed. 220 CMR 1.00 shall govern practice and procedure, except with respect to the adoption of regulations pursuant to 220 CMR 2.00, before the Massachusetts Department of Public Utilities under applicable laws of the Commonwealth of Massachusetts and except where a statute provides otherwise.
- (2) Transportation Oversight Division. 220 CMR 1.02(8)(c), 1.04(1)(d), 1.06(5), 1.06(6) and 1.06(7)(b) shall not apply to matters requiring action by the Transportation Oversight Division. The matters referred to in 220 CMR 1.02(8)(c), 1.04(1)(d), 1.06(5), 1.06(6) and 1.06(7)(b) shall be governed by 220 CMR 250.00.
- (3) Definitions. as used in 220 CMR 1.00, except as otherwise required by the context:

Adjudicatory Proceeding shall be as defined in M.G.L. c. 30A, § 1(1).

Commission means the Commissioners appointed under the provisions of M.G.L. c. 25, § 2, when acting as such.

Department means the Massachusetts Department of Public Utilities, its 220 CMR: Commissioners and employees.

Presiding Officer means that person who is designated to conduct hearings pursuant to the provisions of 220 CMR 1.06(6)(a) or 220 CMR 250.03.

Transportation Oversight Division shall mean the Transportation Oversight Division of the Department.

- (4) Waiver. Where good cause appears, not contrary to statute, the Commission and any presiding officer may permit deviation from 220 CMR 1.00.