

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

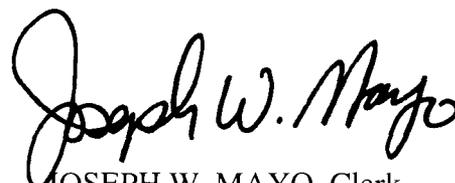
No. 870

H.P. 647

House of Representatives, March 21, 1995

**An Act to Allow Earlier Awarding of Funding of Intervenors in Cases
before the Public Utilities Commission.**

Reference to the Committee on Utilities and Energy suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative HEESCHEN of Wilton.
Cosponsored by Representatives: ADAMS of Portland, LUTHER of Mexico, MERES of
Norridgewock, SHIAH of Bowdoinham, TOWNSEND of Portland, TREAT of Gardiner,
Senator: McCORMICK of Kennebec.

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3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 35-A MRSA §1310, sub-§1, ¶A,** as enacted by PL 1989, c.
5 281, is amended to read:

6 A. In any commission proceeding in which standards under
7 the United States Public Utilities Regulatory Policies Act
8 of 1978, United States Code, Title 16, Section 2601, et
9 seq., are implemented, the commission may order the utility
10 to compensate the intervenor for reasonable attorney's fees,
11 expert witness fees and other reasonable costs incurred in
12 preparation and advocacy of the intervenor's position
13 whenever the commission finds that:

14 (1) The position of the intervenor is not adequately
15 represented by the Office of the Public Advocate or the
16 Public Utilities Commission staff;

17 (2) ~~The intervenor--substantially--contributed--to--the~~
18 ~~approval,--in-whole-or-in-part,--of-a-position-advocated~~
19 ~~by--the--intervenor--in~~ intervenor's participation is
20 likely to contribute substantially to the commission
21 commission's decision in the proceeding; and

22 (3) Participation in the proceeding by the intervenor
23 would impose a significant financial hardship on the
24 intervenor.

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29 **STATEMENT OF FACT**

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32 This bill changes the procedures for funding of intervenors
33 in cases in which the federal standards under the United States
34 Public Utilities Regulatory Policies Act of 1978 are
35 implemented. Under the new provision, an intervenor qualifies at
36 the outset of the proceeding based on a determination of whether
37 the intervenor's participation is likely to contribute
38 substantially to the commission's decision in the proceeding.