

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 886

H.P. 663

House of Representatives, March 21, 1995

An Act to Improve the Business Climate in the State by Making Power Available at a Lower Rate.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative VIGUE of Winslow.

Cosponsored by Representatives: ADAMS of Portland, BAILEY of Township 27, BERRY of Livermore, BRENNAN of Portland, BUCK of Yarmouth, CAMERON of Rumford, CAMPBELL of Holden, CHARTRAND of Rockland, CLARK of Millinocket, CLUKEY of Houlton, DAMREN of Belgrade, DiPIETRO of South Portland, DRISCOLL of Calais, FARNUM of South Berwick, FISHER of Brewer, GATES of Rockport, GIERINGER of Portland, HICHBORN of LaGrange, JACQUES of Waterville, JONES of Bar Harbor, JOSEPH of Waterville, JOY of Crystal, KEANE of Old Town, KERR of Old Orchard Beach, KILKELLY of Wiscasset, LaFOUNTAIN of Biddeford, LAYTON of Cherryfield, LIBBY of Kennebunk, MARSHALL of Eliot, MAYO of Bath, MURPHY of Berwick, NICKERSON of Turner, POULIN of Oakland, POULIOT of Lewiston, POVICH of Ellsworth, REED of Dexter, RICKER of Lewiston, SAMSON of Jay, SIMONEAU of Thomaston, SIROIS of Caribou, STROUT of Corinth, TRUMAN of Biddeford, TUFTS of Stockton Springs, TYLER of Windham, UNDERWOOD of Oxford, WHEELER of Bridgewater, Senators: BEGLEY of Lincoln, CAREY of Kennebec, CASSIDY of Washington, STEVENS of Androscoggin.

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

4 **Sec. 1. 35-A MRSA c. 31, sub-c. VIII is enacted to read:**

6 **SUBCHAPTER VIII**

8 **BUSINESS ENTITIES**

10 **§3211. Sale to business entities**

12 **1. Definitions.** As used in this section, unless the
context otherwise indicates, the following terms have the
following meanings.

14 **A. "Business entity"** means a new or existing firm,
16 partnership or corporation doing business and receiving
electric power in the State.

18 **2. Sales.** Notwithstanding any other provision of this
20 Title, an electric utility may negotiate and enter into a
contract for the sale of and may sell electricity to a business
22 entity without review by the commission.

24 **3. Retail wheeling for economic development.**
Notwithstanding any other provision of this Title, for the
26 purpose of economic development and upon application by a
business entity to the Governor, the Governor may require that an
28 electric utility provide retail wheeling services to the business
entity in order to allow the business entity to obtain electric
30 power from any source.

32 **4. Transmission fees for wheeling.** Upon approval by the
commission, a utility may charge a fee for transmitting or
34 wheeling electricity via its facilities to a business entity for
electricity that is purchased pursuant to this section. The fee
36 charged by the utility for transmitting or wheeling electricity
to a business entity may not exceed the cost directly
38 attributable to transmitting or wheeling electricity to that
business entity.

40 **STATEMENT OF FACT**

42 This bill:

44 1. Permits electric utilities to enter into contracts and
46 to sell power to business entities in this State without review
by the Public Utilities Commission;

48 2. Permits the Governor to require an electric utility to
50 provide retail wheeling services to a business entity; and

2 3. Permits a utility to charge a fee for its transmission
and wheeling services to cover direct costs.