



118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 783

H.P. 592

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House of Representatives, February 4, 1997

An Act to Allow Certain Public Utilities to Extend Their Service into Areas Serviced by Other Public Utilities.

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

OSEPH W. MAYO, Clerk

Presented by Representative RICHARD of Madison. Cosponsored by Representatives: MURPHY of Kennebunk, SAMSON of Jay, Senator: PARADIS of Aroostook.

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

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Sec. 1. 35-A MRSA §2102, sub-§1, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

Approval required. Except as provided in subsection 2 6 1. and in section 4507, no a public utility may not furnish any of the services set out in section 2101 in or to any municipality in 8 or to which another public utility is furnishing or is authorized 10 to furnish a similar service without the approval of the commission. A public utility authorized by private and special law to furnish service in a municipality or portion of a 12 municipality does not require approval of the commission to extend its service to the authorized area in or to which another 14 public utility is furnishing or is authorized to furnish service if the utility proposing to extend its service obtained its 16 legislative authority to serve that area before the date on which the other public utility was first authorized to serve that area. 18

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Sec. 2. 35-A MRSA §2102, sub-§2, as amended by PL 1991, c. 342, §4, is further amended to read:

Except as provided in section 2. Approval not required. 2104, the commission's approval is not required for a public 24 utility to furnish service in any municipality in which that 26 public utility is furnishing service on October 8, 1967. If a public utility was serving a portion of a municipality on October 8, 1967, the commission's approval is not required for the public 28 utility to extend its service to other portions of the 30 municipality for which it has legislative authority to serve. Approval is not required for the operation of a radio paging service or mobile telecommunications services. 32 Approval is not required for an electric utility to sell and distribute electricity to any other electric utility. 34

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SUMMARY

This bill clarifies the authority of a public utility 40 created by private and special law to extend utility service within the geographic area authorized by the private and special 42 law without the need to obtain approval from the Public Utilities The bill provides that such a public utility may Commission. provide this service without approval from the commission if the 44 utility proposing to extend its service obtained its legislative 46 authority to serve the area in question prior to the date the other public utility was first authorized to serve the area in The bill further provides that if a utility was 48 question. serving a portion of a municipality on October 8, 1967, the

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commission's approval is not required for the utility to extend service to other portions of the municipality for which it has legislative authority to serve.

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