

MAINE STATE LEGISLATURE

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L.D. 2018

DATE: *March 11, 1998*

(Filing No. S-504)

UTILITIES AND ENERGY

Reported by:

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**STATE OF MAINE
SENATE
118TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 740, L.D. 2018, Bill, "An Act to Protect Customers of Consumer-owned Utilities"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 35-A MRSA §3212, first ¶, as enacted by PL 1997, c. 316, §3, is amended to read:

When Except as provided in subsection 6, when retail access begins, the commission shall ensure that standard-offer service is available to all consumers of electricity.

Sec. 2. 35-A MRSA §3212, sub-§6 is enacted to read:

6. Consumer-owned utilities. Notwithstanding any other provision of this section, the commission is not required to conduct a competitive bidding process or select a standard-offer service provider or providers for the territory of a consumer-owned transmission and distribution utility if the consumer-owned transmission and distribution utility chooses one or more standard-offer service providers for its territory through a competitive bidding process conducted in accordance with the commission's rules governing the selection and criteria for approval of a standard-offer service provider. Selection of a standard-offer service provider or providers and agreements with or purchases from a standard-offer service provider or providers are not subject to the approval requirements of section 3133 or 3133-A. A consumer-owned transmission and distribution utility may choose a single standard-offer service provider. A consumer-owned transmission and distribution utility that intends

COMMITTEE AMENDMENT

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2 to choose a standard-offer service provider or providers in
3 accordance with this subsection shall notify the commission.'

4 Further amend the bill by inserting at the end before the
5 summary the following:

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FISCAL NOTE

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The Public Utilities Commission will realize some minor savings from not being required to conduct standard offer competitive bidding processes for certain consumer-owned utilities.'

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SUMMARY

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This amendment, which is the majority report of the Joint Standing Committee on Utilities and Energy, replaces the bill. This amendment exempts a consumer-owned transmission and distribution utility from the Public Utilities Commission's standard offer competitive bidding process if the consumer-owned transmission and distribution utility purchases a power supply for its territory through a competitive bidding process conducted in accordance with the commission's rules governing the selection and criteria for approval of a standard-offer service provider. This amendment also provides that such purchases by a consumer-owned transmission and distribution utility may be from a single source and are not subject to commission approval. This amendment also adds a fiscal note to the bill.