

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1999

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Legislative Document

No. 2289

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H.P. 1638

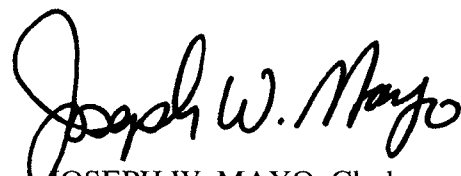
House of Representatives, December 17, 1999

**An Act to Provide Standard-offer Service to Certain Customers.**

(EMERGENCY)

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Submitted by the Public Utilities Commission pursuant to Joint Rule 204.  
Received by the Clerk of the House on December 15, 1999. Referred to the Committee on Utilities and Energy pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

  
JOSEPH W. MAYO, Clerk

Presented by Representative DAVIDSON of Brunswick.

2           **Emergency preamble. Whereas,** Acts of the Legislature do not  
become effective until 90 days after adjournment unless enacted  
as emergencies; and

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6           **Whereas,** it is necessary that all electricity consumers have  
access to standard-offer services beginning March 1, 2000; and

8           **Whereas,** certain customers are connected to the electric  
grid at a location that may make it uneconomic for competitive  
10 electricity providers to provide service; and

12           **Whereas,** the Public Utilities Commission currently lacks the  
authority to direct transmission and distribution utilities to  
14 provide standard-offer service to its customers except in certain  
prescribed situations; and

16           **Whereas,** in the judgment of the Legislature, these facts  
18 create an emergency within the meaning of the Constitution of  
Maine and require the following legislation as immediately  
20 necessary for the preservation of the public peace, health and  
safety; now, therefore,

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

24           **Sec. 1. 35-A MRSA §3212, sub-§2,** as amended by PL 1999, c.  
26 398, Pt. F, §1, is further amended by amending the 2nd blocked  
paragraph to read:

28  
30 Notwithstanding any other provision of this Title, the commission  
may, in the event of a default by a standard-offer service  
32 provider, require the transmission and distribution utility in  
whose service territory the provider was providing standard-offer  
service to arrange and to provide for default service.  
34 Notwithstanding any other provision of this Title, the commission  
may, in the event that the commission receives no bids to provide  
36 standard-offer service in a transmission and distribution  
utility's territory or the commission determines that the bids it  
38 receives are inadequate or unacceptable, require the transmission  
and distribution utility to arrange and to provide for default  
40 service. Notwithstanding any other provision of this Title, the  
42 commission may require a transmission and distribution utility to  
provide default service to its customers that are not located  
44 within either the New England independent system operator control  
area or the Maritimes control area; and default service pursuant  
46 to this sentence must be provided to customers at the same price  
and on the same terms and conditions as standard-offer service is  
48 provided to the customers of the transmission and distribution  
utility in the standard-offer class in which the customer is  
50 eligible to receive service. The arrangement and provision of  
such default service by a transmission and distribution utility

2 does not constitute selling electric energy or capacity at retail  
for purposes of section 3205, subsection 2.

4 **Emergency clause.** In view of the emergency cited in the  
preamble, this Act takes effect when approved.

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### SUMMARY

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This bill allows the Public Utilities Commission to require that transmission and distribution utilities take the necessary steps to secure electricity for some 40 customers that are not physically connected to a bulk power system in the State.