

# MAINE STATE LEGISLATURE

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R.S.

Date: 4-9-08

(Filing No. H-970)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 885,  
L.D. 2255, Bill, "An Act To Protect Maine's Energy Sovereignty through the Designation  
of Energy Infrastructure Corridors and Energy Plan Development"

Amend the amendment in Part A in section 3 in §122 in subsection 2 by striking out  
all of paragraph A (page 2, lines 29 to 32 in amendment) and inserting the following:

'A. The commission may designate an energy infrastructure corridor only by rule.  
Rules adopted pursuant to this subsection are major substantive rules as defined in  
Title 5, chapter 375, subchapter 2-A.

(1) The rulemaking to designate an energy infrastructure corridor must include a  
public hearing in which any member of the public may submit oral or written  
testimony or comments, which must be incorporated into the rule-making record  
in accordance with Title 5, section 8052, subsection 1. The commission shall  
provide an opportunity for examination of the petitioner at a rule-making hearing.  
The commission shall allow for written comments by any member of the public  
up to 7 days prior to the hearing. The commission shall allow a second round of  
written comments to be filed within 10 days of the hearing or within such longer  
time as the commission may direct.

(2) In any rulemaking regarding the designation of an energy infrastructure  
corridor, the commission shall address all written comments, including those  
submitted pursuant to subsection 3, and state its rationale for adopting or  
rejecting any proposals or recommendations contained in those written  
comments.

(3) A designation of an energy infrastructure corridor must be based on  
substantial evidence in the record of the rule-making hearing.'

Amend the amendment in Part A in section 3 in §122 in subsection 2 by striking out  
all of paragraph C (page 2, lines 37 to 40 in amendment) and inserting the following:

'C. The commission shall dismiss a petition for the designation of an energy  
infrastructure corridor filed under this subsection if, after preliminary review, the  
commission determines that the petition:

**HOUSE AMENDMENT**

R.O.S.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 885, L.D. 2255

1 (1) Does not contain sufficient information to support the designation of an  
2 energy infrastructure corridor; or

3 (2) Was filed by a person other than the Office of the Public Advocate,  
4 Executive Department, Governor's Office of Energy Independence and Security  
5 or an interested person as defined by subsection 1, paragraph E.'

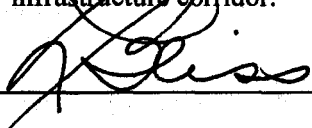
6 Amend the amendment in Part A in section 3 in §122 in subsection 2 in paragraph D  
7 in subparagraph (2) in the last 3 lines (page 3, lines 11 to 13 in amendment) by striking  
8 out the following: "does not imply that an application for any particular project meets  
9 environmental or land use laws and rules or will be approved." and inserting the  
10 following: 'has no evidentiary value in a subsequent consolidated environmental permit  
11 proceeding undertaken by the department pursuant to subsection 6.'

12 Amend the amendment in Part A in section 3 in §122 in subsection 3 by striking out  
13 all of the first 2 lines (page 3, lines 29 and 30 in amendment) and inserting the following:

14 '3. Consultation and notification required; comments. Prior to designating an  
15 energy infrastructure corridor under subsection 2, the commission shall, at a minimum,  
16 notify, consult with and accept comments from:'

17 SUMMARY

18 This amendment requires that rules adopted to designate an energy infrastructure  
19 corridor must include a public hearing to allow members of the public to submit  
20 testimony or comments. It also requires the Public Utilities Commission to address all  
21 comments and state why the commission adopted or rejected any proposal contained in  
22 the comments. The amendment also requires the commission to dismiss a petition if the  
23 petition was filed by a person other than the Office of the Public Advocate, Executive  
24 Department, Governor's Office of Energy Independence and Security or an interested  
25 person as defined in the Maine Revised Statutes, Title 35-A, section 122. The amendment  
26 also requires the commission to consult, notify and accept comments from certain people  
27 prior to designating an energy infrastructure corridor.

28 SPONSORED BY:   
29 (Representative BLISS)  
30 TOWN: South Portland

FISCAL NOTE REQUIRED  
(See attached)

**HOUSE AMENDMENT**



Approved: 04/09/08 *MAC*

# 123rd MAINE LEGISLATURE

LD 2255

LR 3411(05)

**An Act To Protect Maine's Energy Sovereignty through the Designation of Energy Infrastructure  
Corridors and Energy Plan Development**

**Fiscal Note for House Amendment "A" to Committee Amendment "A"**

**Sponsor: Rep. Bliss of South Portland**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Additional costs to the Public Utilities Commission can be absorbed utilizing existing budgeted resources.