

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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**Legislative Document**

**No. 1686**

H.P. 1121

House of Representatives, April 17, 2025

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**An Act to Clarify, Align and Amend Provisions of the Maine  
Revised Statutes, Title 35-A**

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Submitted by the Public Utilities Commission pursuant to Joint Rule 204.  
Reference to the Committee on Energy, Utilities and Technology suggested and ordered  
printed.

*Robert B. Hunt*

ROBERT B. HUNT  
Clerk

Presented by Representative SACHS of Freeport.

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

2 **Sec. 1. 35-A MRSA §107, sub-§2, ¶F**, as enacted by PL 2023, c. 307, §2, is  
3 repealed and the following enacted in its place:

4 **F. The interconnection ombudsman is:**

5 (1) For interconnection-related activities undertaken by the interconnection  
6 ombudsman, funded through fees assessed under section 3474, federal money and  
7 contributions from private and public sources; and

8 (2) For activities undertaken by the interconnection ombudsman pursuant to  
9 section 3474, subsection 4, paragraph A, subparagraph (6), funded in accordance  
10 with section 116.

11 **Sec. 2. 35-A MRSA §120, sub-§7, ¶D-1** is enacted to read:

12 **D-1. Section 3805, subsection 1;**

13 **Sec. 3. 35-A MRSA §901, 2nd ¶**, as enacted by PL 2023, c. 325, §2, is amended  
14 to read:

15 The Notwithstanding any provision of law to the contrary, the requirements of this  
16 chapter do not apply to a consumer-owned water utility as defined in section 6101,  
17 subsection 1-A.

18 **Sec. 4. 35-A MRSA §3214, sub-§6, ¶B**, as amended by PL 2023, c. 201, §2, is  
19 further amended to read:

20 **B.** For each month of the program year, the dollar amount of low-income assistance  
21 program benefits, the dollar amount of oxygen pump benefits and the dollar amount of  
22 ventilator benefits; and

23 **Sec. 5. 35-A MRSA §3214, sub-§6, ¶C**, as amended by PL 2023, c. 201, §2, is  
24 repealed.

25 **Sec. 6. 35-A MRSA §4516-A, sub-§1**, as amended by PL 2021, c. 318, §15, is  
26 further amended to read:

27 **1. Violation of this Title.** The commission may impose an administrative penalty on  
28 a natural gas pipeline utility that violates any provision of this Title relating to safety of  
29 pipeline facilities or transportation of gas or any rule issued under this Title in an amount  
30 not to exceed ~~\$223,000~~ the administrative penalty adopted by the commission by rule,  
31 which may not exceed the administrative penalty established in 49 Code of Federal  
32 Regulations, Section 190.223, as amended, for each violation. Each day of violation  
33 constitutes a separate offense.

34 **Sec. 7. 35-A MRSA §4516-A, sub-§2**, as amended by PL 2021, c. 318, §16, is  
35 further amended to read:

36 **2. Maximum administrative penalty.** The maximum administrative penalty ~~may not~~  
37 ~~exceed \$2,227,000~~ for any related series of violations may not exceed the maximum  
38 administrative penalty adopted by the commission by rule, which may not exceed the  
39 maximum administrative penalty established in 49 Code of Federal Regulations, Section  
40 190.223, as amended.

**Sec. 8. 35-A MRSA §4705-A, sub-§1**, as amended by PL 2021, c. 318, §18, is further amended to read:

**1. Violation of this Title.** The commission may impose an administrative penalty on a gas utility that violates any provision of this Title relating to safety of gas facilities or any rule issued under this Title in an amount not to exceed ~~\$223,000~~ the administrative penalty adopted by the commission by rule, which may not exceed the administrative penalty established in 49 Code of Federal Regulations, Section 190.223, as amended, for each violation. Each day of violation constitutes a separate offense.

**Sec. 9. 35-A MRSA §4705-A, sub-§2**, as amended by PL 2021, c. 318, §19, is further amended to read:

**2. Maximum administrative penalty.** The maximum administrative penalty ~~may not exceed \$2,227,000 for any related series of violations~~ may not exceed the maximum administrative penalty adopted by the commission by rule, which may not exceed the maximum administrative penalty established in 49 Code of Federal Regulations, Section 190.223, as amended.

**Sec. 10. 35-A MRSA §6104-B, sub-§2**, as enacted by PL 2023, c. 325, §8, is amended to read:

**2. Maximum rate adjustment.** The maximum rate adjustment that a consumer-owned water utility may propose under this section is 1.5% of current ~~total annual revenue~~ rates. A consumer-owned water utility may not propose a rate adjustment under this section more than once every 11 months.

**Sec. 11. 35-A MRSA §7104-B, sub-§2**, as amended by PL 2023, c. 144, §4, is further amended to read:

**2. Authority.** Pursuant to the authority granted in section 7104 and in order to carry out the policy goals established by section 7101, subsections 1, 2 and 4, the commission shall establish a telecommunications education access fund, referred to in this section as "the fund," and require all voice network service providers providing service in the State using numbers placed in service for the State's numbering plan area from the North American Numbering Plan Administrator or its successor to contribute to the fund. A voice network service provider is not required to contribute to the fund for telephone numbers that are acquired by the provider but are not placed in service. The fund must be available, with any accumulated interest, to qualified libraries, qualified schools and the Raymond H. Fogler Library at the University of Maine to assist in paying the costs of acquiring and using advanced telecommunications technologies.

The commission may investigate a voice network service provider to ensure compliance with this section.

## SUMMARY

This bill does the following.

1. It clarifies the funding sources for activities undertaken by the interconnection ombudsman to be consistent with Public Law 2023, chapter 643, Part WWW, section 1.

2. It updates the Public Utilities Commission's annual reporting requirements to include a cross-reference to specific reporting requirements related to beneficial

1 electrification for clarity. It also removes the requirement that the commission include in  
2 its annual report on low-income assistance programs an assessment of the effectiveness of  
3 the oxygen pump benefit and the ventilator benefit with respect to covering only those  
4 electric charges directly related to use of an oxygen pump or ventilator by the program  
5 participants.

6 3. It clarifies that a consumer-owned water utility is not subject to the requirements  
7 related to the issuance of stocks, bonds and notes, even if the utility's charter established in  
8 law requires authorization by the Public Utilities Commission.

9 4. It amends penalty provisions relating to violations committed by natural gas pipeline  
10 utilities and gas utilities to align with federal regulations.

11 5. It amends the maximum rate adjustment that a consumer-owned water utility may  
12 propose from 1.5% of current total annual revenue to 1.5% of current rates.

13 6. It aligns the entities required to contribute to the commission's telecommunications  
14 education access fund with the entities required to contribute to the Maine Universal  
15 Service Fund.