

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

SECOND REGULAR SESSION
January 8, 1986 to April 16, 1986

SECOND SPECIAL SESSION
May 28, 1986 to May 30, 1986

AND AT THE

THIRD SPECIAL SESSION
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine

The following initiated legislation

(I.B. 1985, ch. 2)

was approved in a referendum,

November 4, 1986

Question:

"Do You Want to Ban Mandatory Local Measured Phone Service and Direct the State to Keep Flat Rate Phone Service at as Low a Cost as Possible?"

Yes: 241,894

No: 178,745

INITIATED BILLS

AN ACT to Prohibit Mandatory Local Measured Service and to Preserve Affordable Traditional Flat Rate Local Telephone Service at as Low a Cost as Possible.

35 MRSA §80 is enacted to read:

§80. Mandatory local measured telephone service prohibited.

1. Mandatory measured service. Mandatory local measured telephone service is prohibited in the State.

2. Traditional Flat Rate Local service. The Public Utilities Commission shall establish rates for telephone companies which will preserve Traditional Flat Rate Local Telephone Service at as low a cost as possible allowing for unlimited local exchange calling for a single monthly fee as the standard phone service in the State for both business and residential customers. Flat rate service with unlimited local calling shall be described by the telephone company as the "standard" service in all its communications with the public and the Public Utilities Commission. Any other local calling service shall be described as an "optional" service.

3. Standard. In any proceeding before the Supreme Judicial Court or the Public Utilities Commission to review the reasonableness and lawfulness of a local telephone rate approved by the Public Utilities Commission, it shall be presumed that any rate which results in less than 3/4 of the residential customers maintaining standard flat rate service in those exchanges offering optional measured service is in violation of subsection 2, requiring the Public Utilities Commission to establish a rate structure which will preserve Traditional Flat Rate Local Service at as low a cost as possible. The presumption established in this subsection may be overcome by clear and convincing evidence that no reasonable alternative rate could be implemented which will maintain 3/4 of the residential customers as standard flat rate customers.