

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

*Maine*  
REVISED STATUTES  
1964

*Prepared Under the Supervision  
of the  
Committee on Revision of Statutes*

Being the Tenth Revision of the  
Revised Statutes of the State  
of Maine, 1964

Volume 6  
Titles 33 to 39



Boston, Mass.  
Boston Law Book Co.

Orford, N. H.  
Equity Publishing Corporation

St. Paul, Minn.  
West Publishing Co.

Text of Revised Statutes  
Copyright © 1964  
by  
State of Maine

This is a historical version of the Maine Revised Statutes that may not reflect the current state of the law. For the most current version, go to:

<http://legislature.maine.gov/legis/statutes/>

**PART 5**

**PUBLIC UTILITIES**

<b>Chap.</b>	<b>Sec.</b>
<b>171. Organization</b> .....	<b>2301</b>
<b>173. Powers and Restrictions</b> .....	<b>2341</b>
<b>175. Inspection of Meters</b> .....	<b>2401</b>
<b>177. Duties of Telegraph Companies</b> .....	<b>2441</b>
<b>179. Regulation of Poles and Wires</b> .....	<b>2481</b>
<b>181. Natural Gas Pipeline Companies</b> .....	<b>2531</b>
<b>183. Emergency Use of Telephone Party Lines</b> .....	<b>2581</b>

**CHAPTER 171**

**ORGANIZATION**

- Sec.**
- 2301. Organization.**
  - 2302. Consent only after hearing.**
  - 2303. Consent only to Maine corporations.**
  - 2304. Physical connection between lines of corporations authorized.**
  - 2305. Corporations may hold real estate.**
  - 2306. Electric power companies have eminent domain; approval.**
  - 2307. Organization of rural electric companies under certain conditions.**

**§ 2301. Organization**

Corporations for the operation of telegraphs or telephones, and corporations for the operation of both telegraphs and telephones, and corporations for the transmission of television signals by wire, and corporations for the purpose of making, generating, selling, distributing and supplying gas or electricity, or both, for lighting, heating, manufacturing or mechanical purposes, in any city or town, or 2 or more adjoining cities or towns, within the State, or for either or any of such purposes, may be organized under Title 13, sections 71 to 79. No corporation so organized or person or association shall have authority, without the consent of the Public Utilities Commission, to furnish its service in or to any city or town in or to which another corpo-

ration, person or association is furnishing or is authorized to furnish a similar service. Any corporation authorized to make, generate, sell, distribute and supply electricity may sell and distribute electricity to any other corporation similarly authorized.

R.S.1954, c. 50, § 3; 1961, c. 395, § 26.

### § 2302. Consent only after hearing

No consent, authorized in section 2301, and no license, permit or franchise shall be granted to any person, association or corporation to operate, manage or control any public utility of the kind named in section 2301 in any city or town where there is in operation a public utility engaged in similar service or authorized therefor, until the Public Utilities Commission has made a declaration, after a public hearing of all parties interested, that public convenience and necessity require such second public utility.

R.S.1954, c. 50, § 4.

### § 2303. Consent only to Maine corporations

No consent authorized in section 2301 to operate, manage or control any public utility shall be hereafter granted to a corporation unless such corporation is duly organized under the laws of this State or authorized by such laws to do business in this State.

R.S.1954, c. 50, § 5.

### § 2304. Physical connection between lines of corporations authorized

Any corporation organized under Title 13, sections 71 to 79, shall have authority to extend its lines to connect with the feed lines of a corporation generating and selling electricity, and such corporation shall be obliged to furnish electricity if requested to the extent of its reasonable capacity and at reasonable rates, provided the Public Utilities Commission shall so order upon application therefor, after public hearing of all parties interested. Said commission may fix such terms and conditions as shall safeguard the rights and interests of both the generating company and the distributing company. Petition for such public hearing may be made by 10 individuals who contemplate the organization of a corporation as provided and the commission may hold its hearing thereon and make its order, and if the petitioners

organize a corporation and begin business within one year, said order shall be operative and effective to give authority to said corporation.

R.S.1954, c. 50, § 6.

**§ 2305. Corporations may hold real estate**

Corporations organized under chapters 171 to 179 may purchase, hold and convey such real estate and personal property as shall be necessary for the purposes for which they are created.

R.S.1954, c. 50, § 8.

**§ 2306. Electric power companies have eminent domain; approval**

Corporations organized under section 2301 and corporations chartered by special Acts of the Legislature for the purpose of making, generating, selling, distributing and supplying electricity for lighting, heating or other public purposes are authorized and empowered to take and hold by right of eminent domain such lands and easements as may be necessary for the proper location of their transmission lines which are designed to carry voltages of 5,000 volts or more and of necessary appurtenances thereto, located within the territory in which said corporations are authorized to do a public utility business, in the same manner and under the same conditions as set forth in chapter 263.

This right shall not apply to lands or easements located within 300 feet of an inhabited dwelling, nor to lands and easements on or adjacent to any developed or undeveloped water power, nor to lands or easements so closely paralleling existing wire lines of other utility corporations that the proposed transmission lines would substantially interfere with service rendered over said existing lines, except with the consent of the owners thereof, nor to lands and easements owned or used by railroad corporations.

Any location to be so taken for such transmission lines shall be approved by the Public Utilities Commission.

R.S.1954, c. 50, § 9.

**§ 2307. Organization of rural electric companies under certain conditions**

Whenever any electric light and power company does not supply reasonable adequate electric service in any portion of the

territory in which it is authorized to furnish service, any 3 or more persons not receiving and unable to receive service in the said territory, at reasonable rates, may themselves form a corporation for the transmission, use and sale of electricity in such portion of said territory as may be designated by the Public Utilities Commission, and the electric light and power company authorized to furnish service throughout all such territory shall furnish the newly organized corporation with electric current sufficient for their needs, at reasonable rates to be prescribed by said commission. The current shall be furnished from the transmission lines of the said public utility most conveniently located for the purposes of the new corporation.

The certificate of the new corporation shall be in the form provided in Title 13, section 73, and the methods of organization of said corporation shall be in harmony with the requirements of chapters 171 to 179 and Title 13, chapters 1 to 21, except that the fees to be paid to the State and the county in which the certificate is recorded shall not exceed \$10; \$2 to be paid to the register of deeds of the county for recording the certificate; \$3 to be paid to the Attorney General for approving the certificate of organization; and \$5 to be paid to the Treasurer of State for the use of the State when the certificate is filed with the Secretary of State.

R.S.1954, c. 50, § 10.