

MAINE STATE LEGISLATURE

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January 7, 1918

To Hon. A. O. Thomas, State Superintendent of Public Schools
Re: Water Rates, Fire Protection, Gorham Normal School

I am in receipt of certain correspondence submitted to you by the principal of the State Normal School at Gorham, relating to water rates at that school.

I do not agree with Mr. Moulton, the clerk and attorney of the Portland Water District, that he is compelled to charge you extra for private fire protection. It seems from the correspondence submitted that there has been a contract between the Normal School and the Portland Water District. If this contract was entered into prior to January 1, 1913, it is still in force unless terminated by its terms or by order of the Public Utilities Commission.

I further find that Chapter 55 of the Revised Statutes, which is the public utilities law, provides in Section 34 that a public utility may grant free or reduced rates for charitable or benevolent purposes. I further find that this section was amended by Chapter 290 of the Public Laws of 1917, which says that the law preventing discrimination shall not be construed to prohibit a public utility from supplying water or service free or at reduced or special rates to any person, firm or corporation for fire protection purposes through or by means of any apparatus or appliances furnished, installed or maintained by such person, firm or corporation.

There is undoubtedly plenty of legal authority to permit the Portland Water District to furnish fire protection service free to the State Normal School at Gorham. I would suggest that you take this matter up with Mr. Moulton and see if the Normal School cannot be granted free service as a charitable institution under Chapter 55, Section 34, or be granted free service under the provisions of Chapter 290 of the Public Laws of 1917.

Franklin Fisher
Assistant Attorney General

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