

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)

ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 977

H. P. 696

House of Representatives, February 21, 1967

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Williams of Hodgdon.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT to Grant Public Utilities Commission Control Over Cooperatives.

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

Sec. 1. R. S., T. 35, § 171, sub- § 1, amended. Subsection 1 of section 171 of Title 35 of the Revised Statutes is amended by adding at the end, a new sentence, as follows:

No public utility shall be required to apply to the commission for authority to issue bonds, notes or other evidences of indebtedness when borrowing from the United States of America or from any agency or instrumentality thereof, and this proviso shall apply to section 172.

Sec. 2. R. S., T. 35, § 2301, amended. The 2nd paragraph of section 2301 of Title 35 of the Revised Statutes, as enacted by section 1 of chapter 348 of the public laws of 1965, is reenacted and confirmed.

Sec. 3. R. S., T. 35, § 2301, amended. Section 2301 of Title 35 of the Revised Statutes, as amended by section 1 of chapter 348 of the public laws of 1965, is further amended by adding at the end a new paragraph as follows:

Notwithstanding the first paragraph of this section and subject to the 2nd paragraph of this section, no person, firm, association, corporation or cooperative engaged in the transmission, distribution or sale of electricity shall construct or extend facilities or furnish or offer to furnish electricity, for ultimate use and not for resale, within any city, town or plantation which is being so served by a single other electric supplier under the jurisdiction of the Public Utilities Commission, unless within the franchised area of the former, except with the consent in writing of the supplier then serving. This paragraph

shall not preclude any supplier of electricity from extending service to its own property or facilities.

Sec. 4. R. S., T. 35, § 2809, amended. Section 2809 of Title 35 of the Revised Statutes, as repealed and replaced by section 2 of chapter 348 of the public laws of 1965, is amended to read as follows:

§ 2809. Limited jurisdiction of Public Utilities Commission.

Cooperatives shall be ~~deemed to be~~ public utilities and under the jurisdiction of the Public Utilities Commission for all purposes, ~~except that their rates and their bonds, notes and other evidences of indebtedness need not be approved by said commission.~~ In keeping and rendering accounts to the commission, they may use the system of accounting required of them by federal law and regulation. Any person who has been refused membership in or service by a cooperative or who is receiving inadequate service may complain to the Public Utilities Commission which may, after hearing, upon finding that such service may reasonably be rendered, order such person to be served with reasonably adequate service. **If said commission, after hearing, shall determine that any requirement of membership in a cooperative is unreasonable or unjust, it shall order such requirement repealed or not to be enforced.**