

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1403

S. P. 518

In Senate, March 23, 1971

Reported by Senator Violette of Aroostook from Committee on Public Utilities and Printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-ONE

**AN ACT to Allow Electric Utilities to Participate in the Construction of
Certain Utility Facilities.**

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

R. S., T. 35, §§ 2308 - 2310, additional. Title 35 of the Revised Statutes is amended by adding 3 new sections, 2308 to 2310, to read as follows:

§ 2308. Definitions

Wherever used or referred to in sections 2308 to 2310, unless a different meaning clearly appears from the context:

1. Domestic electric company. "Domestic electric company" means any entity organized under the laws of this State to generate, transmit or distribute electric energy.

2. Foreign electric company. "Foreign electric company" means a corporation, association, joint stock association or trust organized under the laws of a state other than this State, or a province of the Dominion of Canada, which is authorized under the laws of the state or province in which it is organized to generate, transmit or distribute electric energy.

3. Utility facility. "Utility facility" means an item of plant used or useful in the electric utility business, and shall include, but is not limited to, such items of plant as generating stations, transmission lines, distribution lines, office buildings and equipment and transportation equipment.

§ 2309. Area within which domestic electric company may generate and transmit electric energy

Notwithstanding any limitation imposed by its charter, each domestic electrical company is authorized and empowered to generate and transmit electric energy and to acquire and operate anywhere within or without this State utility facilities or interests therein of whatever nature or form used or required to be used in its service to the public, provided nothing in this section shall be construed to authorize such a company to sell electric energy in this State to any person or corporation or within any area, except as otherwise authorized by its charter or the general statutes of this State.

§ 2310. Joint ownership of facility; waiver of right to partition

Notwithstanding Title 14, chapter 719, any domestic or foreign electric company that acquires or owns a joint or common interest with one or more other electric companies or other persons in any property which is used or acquired for use as a utility facility, may surrender or waive its right to have a partition by division or partition by sale of the property for a period which does not exceed the period for which the property is used or useful for electric utility purposes.