

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 1419

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S. P. 454

In Senate, March 14, 1973

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Cyr of Aroostook.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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**AN ACT to Augment the Powers of the Public Utilities Commission to Adequately Plan for the Present and Future Power Needs of the State.**

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

Sec. 1. R. S., T. 35, c. 19, additional. Title 35 of the Revised Statutes is amended by adding a new chapter 19 to read as follows:

CHAPTER 19

ADDITIONAL REQUIREMENTS RELATING  
TO ELECTRICAL SERVICE

§ 401. Electrical energy master plan

The Public Utilities Commission is authorized and required to articulate the general electrical energy policy for the State of Maine. In connection with this responsibility, the commission is authorized and required to prepare, adopt and update as may be required from time to time, a master plan which sets forth future electric energy needs of the State and a reasonable manner for meeting those needs.

Before adopting or making any change in the master plan, after such public notice as it deems necessary, the commission shall hold a public hearing.

After the master plan has been adopted by the commission, each electrical company shall make its future plans for plant expansion in accord with the most recent revision of the plan. Each electrical company shall submit plans for such major plant expansion, as the commission determines is necessary

by rule and regulation to assure compliance with the master plan, to the commission and the commission shall determine whether the plans are adequate and consistent with the master plan. Where the plans are found to be insufficient, the commission may exercise such of the powers set forth in this Title as it deems necessary to require electrical companies to plan and expand consistent with the master plan of the State.

§ 402. Additional investigation of electrical company rate increase requests

The Public Utilities Commission is authorized and required, prior to granting general rate increase to any electrical company, to investigate and determine whether the company has been operated in a prudent and efficient manner. For purposes of this section, efficiency shall include scale of operation, purchasing methods, financial structure, plant type and location and such other factors as the commission may determine are properly within the scope of such investigation. If the commission determines the company is imprudent or inefficient, the commission may exercise such of the powers set forth in this Title as it deems necessary to accomplish prudent and efficient operation and where it is without power to accomplish prudent and efficient operation, it may make such studies and recommendations as it deems advisable, including whether merger or consolidation of any 2 or more electrical companies is in the public interest.

For purposes of this section, the commission shall determine whether a particular rate request is a general rate increase and its determination shall be final.

§ 403. Professional assistance

The commission is authorized and empowered to make all necessary rules and regulations and to employ such expert, professional or other assistance as is necessary to accomplish the purposes of sections 401 and 402.

§ 404. Subpoena power

To accomplish the purposes of sections 401 and 402, the commission is authorized and empowered to subpoena and otherwise secure access to the internal records of electrical companies to the extent it is thus authorized and empowered by sections 4, 5 and 6.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Public Utilities Commission the sum of \$50,000 to carry out the purposes of this Act.

## STATEMENT OF FACT

The purpose of this bill is to empower the Public Utilities Commission to articulate and enforce a state policy for provision of future energy needs and, in addition, to otherwise enhance the commission's power to protect consumers of electrical power in the State currently.