

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 1585

S. P. 498

In Senate, March 26, 1973

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

HARRY N. STARBRANCH, Secretary

Presented by Senator Kelley of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Appeals from Decisions of the Public Utilities
Commission.

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

R. S., T. 35, § 304, repealed. Section 304 of Title 35 of the Revised Statutes is repealed as follows:

§ 304. ~~Appeal does not stay orders~~

~~While an appeal as provided in section 303 is pending, no injunction shall issue suspending or staying any order of the commission and said appeal shall not excuse any person or corporation from complying with and obeying any order or decision or any requirement of any order or decision of the commission or operate in any manner to stay or postpone the enforcement thereof, except in such cases and upon such terms as the commission may order and direct.~~

STATEMENT OF FACT

The present law prohibits an injunction while an appeal is pending to the law court from a decision of the Public Utilities Commission. This has the effect of possibly allowing a wrong decision by the Public Utilities Commission to be in effect while an appeal is pending. This could have the unfavorable effect of requiring customers to pay rate charges which may be improper.