

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 166

H. P. 132

House of Representatives, January 26, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Kelleher of Bangor.

Cosponsor: Mr. Green of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT Relating to Corporate Expenses in Public Utilities
Commission Hearings.**

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

35 MRSA § 51, as amended by PL 1975, c. 409, is further amended by inserting after the 3rd sentence the following:

In determining such revenues as may be required to perform public service, the commission shall not include any costs incurred by a public utility in the preparation and presentation of a rate case, provided that if the failure to include any such costs shall result in revenues which deprive a public utility of property without due process of law in violation of the Constitution of the United States and the Constitution of Maine, then the commission shall allow such costs to the extent necessary to provide the level of revenues required by the Constitution of the United States and the Constitution of Maine.

STATEMENT OF FACT

The purpose of this bill is to provide that the costs incurred by public utilities seeking rate increases would be charged to the utility stockholders rather than to consumers. Examples of such costs would be consultant fees and legal services. Also this bill permits the commission to allow the utility to pass on to consumers any costs that state statutes require a utility to incur in rate-making cases.