

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1538

H. P. 1284

House of Representatives, April 12, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. Howe of So. Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

**AN ACT to Limit the Types of Advertising which Public
Utilities may Charge to their Ratepayers.**

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

35 MRSA § 51-A is enacted to read:

§ 51-A. Charges for advertising costs

The rate, toll or charge, or any joint rate or any part thereof made, exacted, demanded or collected by any public utility as defined in section 15, shall not include, incorporate or be based on the cost to that utility of any advertising or advertising activity carried on by that utility; except that a rate, toll charge or joint rate or any part thereof, may include, incorporate or be based on advertising conducted by a public utility for the primary purpose of encouraging public safety, economy or conservation of the utility's service or product. The commission shall promulgate all rules and regulations necessary to carry out the purposes of this section and the commission shall have the responsibility for determining those advertisements which are conducted for the primary purpose of safety, economy or conservation as set out in this section.

For the purposes of this section, "advertisement" means any public announcement of whatever kind or character and includes any notice or announcement in any radio or television broadcast, newspaper, magazine, catalog, circular, handbill, sign, placard, billboard or any circular or insert accompanying utility bills.

STATEMENT OF FACT

This bill would prevent utility customers from having to bear the cost of utility advertising which encourages increased services or consumption and advertising which tends to enhance the image of the utility. The bill would not prohibit utilities from allowing, as a ratepayer expense, that advertising which encourages safety, economy and conservation of the utility's service or product.