

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

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ONE HUNDRED AND NINTH LEGISLATURE

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**Legislative Document**

**No. 486**

H. P. 379

House of Representatives, February 9, 1979

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

EDWIN H. PERT, Clerk

Presented by Mr. LaPlante of Sabattus.

Cosponsors: Mr. Cunningham of New Gloucester, Mr. Nelson of New Sweden and Mr. Wood of Sanford.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-NINE

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**AN ACT Requiring the Public Utilities Commission to Order a Community of Interest Study upon Petition by 10% of the Service Customers in a Telephone Exchange and to Promulgate Rules Relating to the Establishment of Extended Area Service.**

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

35 MRS A c. 184 is enacted to read:

**CHAPTER 184**

**COMMUNITY INTEREST STUDIES AND EXTENDED AREA SERVICE**

**§ 2601. Purpose**

**It is declared to be the public policy of this State and it is the purpose of this chapter that the costs of telephone service to subscribers shall reflect economies realized or realizable by the public utilities which provide the service and that the cost of that service to subscribers shall be related as closely as possible to the cost of providing the service and the service actually received. To the extent possible, these purposes shall be achieved without regard to the geographic boundaries of political entities of the State and the geographic boundaries of service areas of the**

public utilities providing the service. In the pursuit of these purposes, the Public Utilities Commission and the public utilities providing the service shall, on a recurring basis, use the most effective tools available to evaluate whether these economies exist and to relate consumer cost and service to the cost of providing the service. These tools shall include, but are not limited to, community of interest studies and extended area service.

#### § 2602. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms shall have the following meanings.

1. Community of interest study. A “community of interest study” shall, at the minimum, be in the form of a description, evaluation and recommendation regarding the frequency of telephone calls by service customers from one exchange to one or more other exchanges in order to determine whether this frequency between the one exchange and the other exchange or exchanges individually is sufficient to warrant the establishment of extended area service. The study shall be conducted in a statistically valid and reliable method and if done on a sample basis, shall be a statistically random sample.

2. Exchange. “Exchange” shall mean a geographical unit established for the administration of communication service in a special area as filed with the commission in the schedule of tariffs of each telephone company.

3. Extended area service. “Extended area service” shall mean a system which provides the ability to call another exchange for a fixed flat rate, determined by the cost of providing the service.

#### § 2603. Petition for extended area service

1. Petition filed with commission. Whenever a petition, prescribed in form by the Public Utilities Commission, is signed by at least 10% of the service customers of a single exchange requesting extended area service to one or more contiguous exchanges and is filed with the Public Utilities Commission, the commission, being satisfied that the signatures are valid, shall order the public utility or utilities that own the exchanges in question to conduct a community of interest study.

2. Rules for study. The Public Utilities Commission shall issue, in accordance with Title 5, chapter 375, the Maine Administrative Procedure Act, rules for implementation of the community of interest study. The rules shall include the survey methods that may be used, the variables or criteria to be included in the study and any other guidelines that the commission considers necessary.

3. Filing of study with the commission. Every community of interest study ordered by the commission shall be filed with the commission, published and made available for public inspection.

**4. Completion of study.** Within 30 days from the completion of the community of interest study, the commission, any commissioner or a designee of the commission may meet with the municipal officers from the telephone exchange area from which the petitions were sent to discuss the request for extended telephone area service. The commission shall notify the municipal officers following the completion of the study.

**§ 2604. Determination by the commission**

**The Public Utilities Commission shall publish its findings and issue its decision based upon the community of interest study, any meetings held with municipal officers and any other information relevant to the request for extended service within 30 days from the date of the public hearing.**

**STATEMENT OF FACT**

The purpose of this bill is to assure that a community of interest study will be undertaken upon petition by 10% of the service customers of a telephone exchange and to require the Public Utilities Commission to promulgate rules for the institution of extended area service.

The bill also provides guidelines for the implementation of a community of interest study for extended area telephone service and to require public hearings to obtain public testimony.