

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-321)
109TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "**A**" to H.P. 380, L.D. 487, Bill, "AN ACT to Establish Assessments Upon Certain Public Utilities and to Authorize Use of the Funds Generated by Those Assessments to Pay Certain Expenses of the Public Utilities Commission."

Amend the Bill by striking out everything after the amending clause and inserting in its place the following:

§17. Funding of the Commission

1. Utilities subject to assessments. Every electric, gas, telegraph, telephone and water utility subject to regulation by the commission shall be subject to an assessment of not more than .2% of the intrastate gross operating revenues of each utility to produce no more than \$150,000 in revenue annually. The commission shall determine the assessments annually prior to May 1st. Each utility shall pay the assessment charged to the utility on or before July 1st of each year except that the assessment charged to the utilities for the fiscal year ending June 30, 1980 shall be assessed no later than November 1, 1979 to produce no more than \$75,000 in revenues and shall be due on January 2, 1980.

A. The assessments charged to utilities under this section shall be deemed just and reasonable operating costs for rate making purposes.

B. For the purposes of this section, intrastate gross operating revenues shall mean intrastate revenues derived from basic filed rates, except revenues derived from fuel adjustment charges from sales for resale and from sales tax revenues derived from retail intrastate sales.

2. Deposit of funds. All revenues derived from assessments levied against the utilities described in this section shall be deposited with the Treasurer of State in a separate account to be known as the Public Utilities Commission Regulatory Fund.

3. Use of funds. The Public Utilities Commission is authorized to hire 4 employees to be funded from the revenues provided in this section to defray the costs incurred by the commission pursuant to Title 35 and to include administrative expenses, general regulatory expenses, consulting fees and all other reasonable costs incurred to administer Title 35, chapters 1 to 17.

4. Unexpended funds. Any amount of the funds that is not expended at the end of a fiscal year shall not lapse, but shall be carried forward to be expended for the purposes specified herein in succeeding fiscal years.

5. Violations. Any utility, subject to this section, that willfully fails to pay the assessments in accordance with this section commits a civil violation for which a forfeiture of not more than \$500 may be adjudged per day for which payment is not made following the due date.'

Statement of Fact

The intent of this amendment is to provide revenues necessary to fulfill the obligations of the Public Utilities Commission under the National Energy Act. The National Energy Act will require lengthy hearings to implement the policies, rules and regulations of the Department of Energy, including the Public Utilities Regulatory Policies Act. According to this Act, rate structures of utilities will be changed and will require substantial investigation. In addition, rate cases may be lengthened because intervenors will have an absolute right to intervene rather than upon the discretion of the PUC.

Reported by Report A of the Committee on Public Utilities
Reproduced and distributed under the direction of the
Clerk of the House.

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