

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1034

H. P. 835

House of Representatives, March 5, 1979

On Motion of Mr. Davies of Orono, referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

**AN ACT Relating to Inspecting Electricity and Water Meters by the Public
Utilities Commission.**

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

Sec. 1. 35 MRSA §§ 2402 to 2404 are repealed and the following enacted in their place:

§ 2402. Appointment of inspectors

1. Municipal inspectors. The municipal officers of cities and towns may annually appoint an inspector of meters, who shall serve for one year or until another is qualified in his stead, at such salary as the municipal officers shall determine. The inspector shall have the authority to inspect and test meters in the municipality in which he has been appointed.

2. State inspector. The Public Utilities Commission shall appoint a person, subject to Personnel Law to inspect and test utility meters in any municipality, plantation or unorganized territory in the State. The person appointed to inspect and test utility meters shall be a master electrician or an equivalent and shall have experience in inspecting and testing meters.

§ 2403. Meter inspectors

Upon request by a customer of a gas, water or electric utility, municipal inspectors of meters or a representative of the Public Utilities Commission shall inspect, examine, prove or ascertain the accuracy of any gas, water or electricity meter. Inspectors, required by this section to inspect meters, shall be experienced and knowledgeable in testing and inspecting meters. Following an inspection or test, the inspector shall record his findings and provide for the repair of inaccurate meters as defined in section 2404 or require the utility to install an accurate meter.

§ 2404. Defective meters

Any meter for which an examination or inspection has been requested and which is found to incorrectly record consumption by 2% or more shall be corrected by the utility or not used to record customer consumption. The customer shall not be subject to any fee, charge or toll for the inspection or examination of a meter that is found to be inaccurate to the extent allowed in this section. No customer shall be subject to any fee, charge or toll for the inspection or examination of a meter requested once in a 6-month period.

§ 2405. State meter inspector

1. Testing of customer meters. On a regular basis, the commission representative, experienced and knowledgeable in the inspection and testing of meters, shall inspect and test electricity, gas and water meters of customers located throughout the State and selected on a random basis to determine the accuracy of the meters. In the event that the meters are found to be inaccurate, the commission representative shall have the authority to require the utility to correct the meter or to order the removal of the meter and the installation of an accurate meter as defined in section 2404.

2. Testing of meters prior to installation. The commission meter testing representative shall randomly select meters from the inventory of utility meters to be inspected and tested to determine the degree of accuracy of each meter prior to the installation of these meters. In the event that the meters are inaccurate, the commission representative shall have the authority to require the meters to be corrected or to prohibit the installation of defective meters.

Sec. 2. Appropriation. The following funds shall be appropriated from the General Fund to carry out the purposes of this Act.

	1979-80	1980-81
PUBLIC UTILITIES COMMISSION		
Positions	(1)	(1)
Personal Services	\$12,500	\$12,500
All Other		1,000
Capital Expenditures	10,000	
	\$22,500	\$13,500
Total		

Provides funds for the employment of one person experienced and knowledgeable in the testing of utility meters and funds for the purchase of meters and equipment necessary for the inspection and testing of meters.

STATEMENT OF FACT

At the present time, public utilities in Maine test and inspect meters upon request. A staff person from the Public Utilities Commission sometimes witnesses the inspection, but the staff person does not know how to test or inspect meters. As a result, utilities investigate complaints made against utility meters and the findings are accepted by the commission.

This practice is sharply criticized by the public. A municipal representative or the Public Utilities Commission should investigate meter complaints and not the utilities themselves. Although the law provides for the appointment of municipal meter inspectors, these inspectors do not exist in Maine.

This bill proposes that the Public Utilities Commission inspect and test utility meters. The state meter inspector is authorized to inspect meters upon request, to inspect randomly selected customer meters and to inspect meters prior to installation. The intent of this bill therefore, is to protect the public.

Current law permits an error rate of 2% for gas and water meters and an error rate of 4% for electricity meters. This bill establishes an error rate of 2% for all meters. Since a meter cannot be accurate 100% of the time, and since error rates reflect both advantages and disadvantages incurred by a customer, it is not possible to require a lower error rate or to require adjustments in rates.