

MAINE STATE LEGISLATURE

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(Governor's Bill)
FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1026

H. P. 865

House of Representatives, February 25, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Davies of Orono.

Cosponsors: Senator Carpenter of Aroostook, Representative Baker of Portland and Representative Huber of Falmouth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Authorize the Public Utilities Commission to Purchase Electric Energy for Resale on a Nonprofit Basis to Electric Utilities Serving this State.

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

35 MRSA § 2328 is enacted to read:

§ 2328. **Purchase and resale of electric energy by Public Utilities Commission**

The Public Utilities Commission, when authorized by the Governor, shall represent the State in negotiating, contracting for and purchasing electric energy, whether generated inside or outside of the State, and in reselling the purchased energy to electric companies serving this State as defined in chapter 1, when the commission determines that the energy purchases and relates will serve the energy needs of the State in a manner consistent with the public interest. All resales of electric energy under this section shall be on a nonprofit basis without preference or discrimination. The commission may resell purchased energy under this section to electric utilities operating outside of the State if the resale is reasonably incidental to the resale of power within the State. In addition, the commission may contract for the transmission of energy purchased under this section to the place of resale, and shall have all implied and incidental powers

which are reasonably necessary and proper to enable it to carry out the purpose of this section. No electric company may refuse to transmit energy purchased under this section via its facilities at reasonable rates if it has capability to transmit the energy.

STATEMENT OF FACT

This bill would authorize the Public Utilities Commission to purchase electric energy and resell it on a nonprofit basis to electric utilities serving this State when it determines that the purchase and resale will serve the energy needs of the State in a manner consistent with the public interest. The Vermont Public Services Board (30 VSA Section 211 and 212), the New Hampshire Public Utilities Commission (NHRS 363: 18(a)) and the Rhode Island Public Utilities Commission (Rhode Island General Laws, Section 39-1-39) currently have this authority. This bill may facilitate bulk purchases at more favorable rates than could be obtained by individual electric utilities serving this State, especially those smaller utilities that have little or no generation of their own. No utility would be required to purchase energy under Title 35, section 2328. The bill would only authorize the Public Utilities Commission to act as agent for the State in facilitating the sale of energy to utilities who want to buy it.