

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 212  
6

7 H.P. 183

House of Representatives, January 18, 1983

8 Received by the Clerk of the House on January 18, 1983. Referred to the  
9 Committee on Public Utilities, and ordered printed pursuant to Joint Rule 14.

10 EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.

Cosponsor: Representative Roderick of Oxford.  
11

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Clarify the Time during which  
18 a Utility is Restricted from Filing a Rate  
19 Case under the Public Utility Law.  
20

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

23 35 MRSA §64, 2nd¶, as enacted by PL 1981, c.  
24 681, is amended to read:

25 Without the approval of the commission, no util-  
26 ity may file a schedule or schedules for a general  
27 increase in rates pursuant to this section within one  
28 year of a prior filing for a general increase in  
29 rates pursuant to this section, unless the proceeding  
30 initiated by such a prior filing was terminated with-  
31 out a final determination of the utility's revenue  
32 requirement. This requirement shall not prevent any  
33 utility, at any time, from notifying the commission  
34 in advance, either voluntarily or in accordance with

1 a commission requirement under this section, of its  
2 plans to file a general increase in rates. Nothing  
3 in this section may be construed to limit any  
4 utility's right, at any time, to petition pursuant to  
5 section 311 for temporary rate relief.

6 STATEMENT OF FACT

7 The purpose of this bill is to address the situa-  
8 tion where a utility's request for a rate increase is  
9 denied on procedural grounds and not on the basis  
10 that the utility does not need a rate increase. In  
11 such a situation, the utility would be allowed to  
12 cure the procedural problem and refile without wait-  
13 ing for a year from the original filing.

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