

MAINE STATE LEGISLATURE

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L.D. 908
(Filing No. H- 195)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
111TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT " *A* " to H.P. 717,
L.D. 908, Bill, "AN ACT to Clarify the Fuel Charges
of Electric Utilities."

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Amend the Bill by inserting before the enacting
clause the following:

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'Emergency preamble. Whereas, Acts of the Legis-
lature do not become effective until 90 days after
adjournment unless enacted as emergencies; and

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Whereas, on April 12, 1983, the Maine Supreme
Judicial Court ruled that the Revised Statutes, Title
35, section 131 does not allow the inclusion of cred-
its associated with sales of energy received from the
savings fund of the New England Power Exchange in the
calculation of fuel costs to be received in the fuel
adjustment clause; and

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Whereas, it is the intent of this Legislature
that these credits be included in the calculation of
these fuel costs; and

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Whereas, the failure to include these credits
will result in immediate additional costs to electric
utility ratepayers; and

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Whereas, in the judgment of the Legislature,
these facts create an emergency within the meaning of
the Constitution of Maine and require the following
legislation as immediately necessary for the preser-
vation of the public peace, health and safety; now,
therefore, '

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Further amend the Bill by inserting at the begin-
ning of the first line after the enacting clause

COMMITTEE AMENDMENT "A" to H.P. 717, L.D. 908

1 (page 1, line 22 in L.D.) the abbreviation and figure
2 'Sec. 1.'

3 Further amend the Bill in subsection 4 in the
4 5th, 6th and 7th lines from the end (page 2, lines 5,
5 6 and 7 in L.D.) by striking out the following:
6 "credits associated with purchased energy received
7 both sales and purchases of energy" and inserting in
8 its place the following: 'but not limited to, cred-
9 its associated with purchased energy received or
10 energy sold which are received,'

11 Further amend the Bill by inserting at the end
12 before the statement of fact the following:

13 'Sec. 2. Implementation of litigation not
14 affected. Any implementation of litigation involving
15 the Revised Statutes, Title 35, section 131 pending
16 on the date of enactment shall not be affected by
17 section 1.

18 Emergency clause. In view of the emergency cited
19 in the preamble, this Act shall take effect when
20 approved.'

21 STATEMENT OF FACT

22 Central Maine Power Company has appealed to the
23 Maine Supreme Judicial Court a decision made by the
24 Public Utilities Commission under the Revised Stat-
25 utes, Title 35, section 131 and the court has ruled
26 on that appeal. This amendment makes it clear that
27 the bill does not affect the implementation of that
28 or any other pending litigation. The amendment also
29 makes clarifying changes in the language.

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