

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1020

6  
7 S.P. 346

In Senate, March 4, 1983

8 Submitted by the Office of Public Advocate pursuant to Joint Rule 24.  
9 Referred to the Committee on Public Utilities. Sent down for concurrence  
and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Baldacci of Penobscot.

Cosponsors: Representative Bost of Orono, Representative Vose of  
Eastport and Senator Kany of Kennebec.

11  
12 STATE OF MAINE  
13

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

17 AN ACT to Protect all Customers from  
18 Unjust Terminations of Utility Services.  
19

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

22 Sec. 1. 35 MRSA §105, as enacted by PL 1975, c.  
23 378, is amended to read:

24 §105. Utility deposits

25 No public utility ~~shall~~ may require any deposit  
26 of any ~~residential~~ customer without proof that the  
27 customer is likely to be a credit risk or to damage  
28 the property of the utility. ~~Such~~ The proof shall be  
29 furnished to the customer upon request. Absence of  
30 previous experience with the utility shall not be  
31 proof that the customer is a credit risk or threatens  
32 to damage utility property. The Public Utilities  
33 Commission shall adopt reasonable regulations, after

1 hearing, to provide for just and reasonable proce-  
2 dures governing deposit requirements for all custom-  
3 ers, in conjunction with section 314.

4 Sec. 2. 35 MRSA §314, as amended by PL 1981, c.  
5 415, is further amended to read:

6 §314. Termination of utility services

7 The Public Utilities Commission shall adopt and  
8 promulgate reasonable regulations after hearing con-  
9 cerning the termination or disconnection of any ~~resi-~~  
10 ~~dentia~~ customer's service by an electric, gas, water  
11 or telephone utility of the State. These regulations  
12 may vary by customer class. These regulations shall  
13 apply generally to all such utilities within the com-  
14 mission's jurisdiction and shall provide for adequate  
15 written notice by ~~such~~ that utility to the ~~residen-~~  
16 ~~tia~~ customer that his utility bill has not been  
17 paid, and a notice of his prospective termination or  
18 disconnection and his right, prior to disconnection,  
19 to enter into reasonable installment payment arrange-  
20 ments with ~~such~~ that utility company; to settle any  
21 dispute concerning the proposed disconnection at an  
22 informal hearing with ~~such~~ the utility company; and  
23 to appeal the results of ~~such~~ the utility company's  
24 decision to the Public Utilities Commission. The  
25 regulations shall also provide that there may be no  
26 termination or disconnection of a residential cus-  
27 tomer during a limited medical emergency and for a  
28 just and reasonable procedure regarding reconnections  
29 of utility service and deposit requirements for all  
30 customers.

31 The Public Utilities Commission shall adopt  
32 reasonable regulations, after hearing, to provide for  
33 a just and reasonable interest rate to be paid by the  
34 utility on any deposit of any customer.

35 STATEMENT OF FACT

36 Currently, the Public Utilities Commission is  
37 authorized to establish regulations regarding the  
38 termination of utility services for residential cus-  
39 tomers. The commission is also authorized to issue

1 regulations governing reconnections and deposit re-  
2 quirements for residential customers. This bill  
3 authorizes the commission to establish reasonable  
4 regulations for all customers of a utility.

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