

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
(New Draft of H.P. 187, L.D. 229)

FIRST REGULAR SESSION

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ONE HUNDRED AND ELEVENTH LEGISLATURE

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Legislative Document No. 1122

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H.P. 887 House of Representatives, March 10, 1983  
Reported by Representative Weymouth from the Committee on Public  
Utilities and printed under Joint Rule 2.

EDWIN H. PERT, Clerk

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STATE OF MAINE

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

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AN ACT to Clarify Filing Fee Requirements  
for Public Utilities Commission Approval of  
Electric Utilities' Purchase of Electric  
Power and Conversions.

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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

Whereas, new filings for purchase of generating  
capacity, energy and transmission capacity under  
Title 35, section 13-B, are expected soon; and

Whereas, without the changes to Title 35, section  
13-B, provided in this Act, some of those filing fees  
might be excessive; and

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

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

9           35 MRSA §13-B, sub-§4, as enacted by PL 1981, c.  
10 673, §1, is amended to read:

11           4. Filing fee. When the petition is filed, the  
12 utility or utilities involved shall pay to the Public  
13 Utilities Commission an amount equal to 2/100 of 1%  
14 of the estimated cost of the purchase or conversion.  
15 The utility or utilities may, at the time of the  
16 filing of notice of its intent to file the petition,  
17 request the commission to waive all or a portion of  
18 the filing fee. The commission shall rule on the  
19 request for waiver within 60 days.

20 Notwithstanding any other provision of law, filing  
21 fees paid as required here shall be segregated,  
22 apportioned and expended by the Public Utilities Com-  
23 mission for the purposes of this section. Any por-  
24 tion of the filing fee that is received from any  
25 utility or utilities and is not expended by the com-  
26 mission to process the petition for a certification  
27 of public convenience and necessity shall be returned  
28 to the utility or utilities.

29           Emergency clause. In view of the emergency  
30 cited in the preamble, this Act shall take effect  
31 when approved.

32   STATEMENT OF FACT

33           This new draft retains the purpose of the orig-  
34 inal bill of making filing fees correspond more  
35 nearly to the actual cost to the commission of  
36 reviewing an application for purchase of generating  
37 capacity, energy and transmission capacity. The new  
38 draft achieves this by allowing for a waiver of all  
39 or part of the filing fee and by requiring a refund

1 of the unused portions. It is expected that the com-  
2 mission will include in its annual report to the  
3 Legislature under Title 35, section 17, a summary of  
4 filing fees received, waived or returned during the  
5 previous year, and a detailed list of expenditures of  
6 funds received from the filing fees in each partic-  
7 ular case.

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