

# MAINE STATE LEGISLATURE

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(EMERGENCY)

(New Draft of H.P. 1151, L.D. 1520)  
(New Title)

FIRST REGULAR SESSION

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ONE HUNDRED AND ELEVENTH LEGISLATURE

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Legislative Document

No. 1632

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H.P. 1228

House of Representatives, May 17, 1983

Reported by the Majority from the Committee on Public Utilities and  
printed under Joint Rule 2.

Original bill presented by Representative Vose of Eastport.

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 Increase the Annual Public  
Utilities Commission Regulatory Fund  
Assessment to \$1,460,000, beginning in  
Fiscal Year 1984.

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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, the Public Utilities Commission requires  
additional funds to allow it to discharge its public  
responsibilities during the fiscal years ending June  
30, 1984, and June 30, 1985; and

Whereas, the assessment for the first of those  
fiscal years must take place before May 1, 1983; and

1           Whereas, the current assessment allowance will  
2 not provide the Public Utilities Commission with suf-  
3 ficient funds; and

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

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

12           Sec. 1. 35 MRSA §17, sub-§1, as amended by PL  
13 1981, c. 599, §1, is further amended to read:

14           1. Utilities subject to assessments. Every elec-  
15 tric, gas, telegraph, telephone and water utility  
16 subject to regulation by the commission and every  
17 water carrier subject to the jurisdiction of the com-  
18 mission pursuant to private and special Act of the  
19 Legislature shall be subject to an assessment of not  
20 more than .25% on its intrastate gross operating  
21 revenues to produce no more than ~~\$1,000,000~~  
22 \$1,160,000 in revenues beginning in the 1983-84  
23 fiscal year. Notwithstanding any other provision of  
24 law, the amount of annual revenue to be raised by  
25 this section shall be increased by an additional  
26 \$300,000 to supplant an equal amount of General Fund  
27 revenues used previously to fund commission activi-  
28 ties which shall instead be appropriated for the use  
29 of the Public Advocate. The commission shall  
30 determine the assessments annually prior to May 1st  
31 and shall assess each utility for its pro rata share.  
32 Each utility shall pay the assessment charged to the  
33 utility on or before July 1st of each year.

34           A. The assessments charged to utilities under  
35 this section shall be deemed just and reasonable  
36 operating costs for rate-making purposes.

37           B. For the purposes of this section, intrastate  
38 gross operating revenues means intrastate reve-  
39 nues derived from filed rates, except revenues  
40 derived from sales for resale.



1           The \$160,000 increase in the Public Utilities  
2 Commission Regulatory Fund shall be used as follows:

	<u>1983-84</u>	<u>1984-85</u>
4       Positions	(3)	(3)
5       Personal Services	\$125,151	\$136,640
6       All Other	28,249	19,060
7       Capital Expenditures	<u>6,600</u>	<u>4,300</u>
8       Total	\$160,000	\$160,000
9		3767051083