

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 (After Deadline)

3 FIRST REGULAR SESSION
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE
6

7 Legislative Document

No. 1666

8
9 H.P. 1253

House of Representatives, May 23, 1983

10 Approved for introduction by a majority of the Legislative Council
11 pursuant to Joint Rule 27.

12 Received by the Clerk of the House on May 20, 1983. Referred to the
Committee on Public Utilities and printed pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.
13

14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-THREE
18

19 AN ACT to Permit Expedited Processing
20 of Petitions for A Certificate of Public
21 Convenience and Necessity.
22

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

26 Whereas, any electric utility must give 2 months
27 advance notice of its intention to request a certifi-
28 cate of public convenience and necessity for a pro-
29 posed purchase of generating capacity, transmission
30 capacity or energy; and

31 Whereas, there are instances where existing con-
32 tractual and regulatory requirements require a more
33 rapid decision by the Public Utilities Commission;
34 and

1 Whereas, without amendment to the Revised Stat-
2 utes, Title 35, section 13-B, some contracts which
3 are in the public interest might not occur; 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 35 MRSA §13-B, sub-§4, as amended by PL 1983, c.
13 90, is further amended to read:

14 4. Filing fee. When the petition is filed, the
15 utility or utilities involved shall pay to the Public
16 Utilities Commission an amount equal to 2/100 of 1%
17 of the estimated cost of the purchase or conversion.
18 The utility or utilities may, at the time of the
19 filing of notice of its intent to file the petition,
20 request the commission to waive all or a portion of
21 the filing fee. The commission may waive the re-
22 quirement that at least 2 months advance notice be
23 given. The commission shall rule on the request for
24 waiver within 60 days.

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

34 **Emergency clause.** In view of the emergency cited
35 in the preamble, this Act shall take effect when
36 approved.

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STATEMENT OF FACT

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This bill allows the Public Utilities Commission to waive the requirement of 2 months advance notice of an electric utility's intention to seek permission to buy generating capacity, transmission capacity or energy.

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