

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1903
6

7 H.P. 1451

House of Representatives, January 10, 1984

8 Submitted by the Public Utilities Commission pursuant to Joint Rule 24.
9 Reference to the Committee on Public Utilities is suggested and ordered
printed.

EDWIN H. PERT, Clerk

10 Presented by Representative Ridley of Shapleigh.

Cosponsors: Representative Weymouth of West Gardiner and
Representative Robinson of Auburn.

11
12 STATE OF MAINE
13

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

17 AN ACT to Clarify the Suspension
18 Powers of the Public Utilities Commission
19 Over Affiliated Interest Contracts.
20

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

23 35 MRSA §104, sub-§3, as enacted by PL 1977, c.
24 426, § 1, is amended to read:

25 3. Consent by commission. No public utility
26 ~~shall~~ may extend or receive credit or make or receive
27 a loan to or from an affiliated interest or make any
28 contract or arrangement for the furnishing of manage-
29 ment, supervision of construction, engineering, ac-
30 counting, legal, financial or similar services, or
31 for the furnishing of any service other than those
32 enumerated with any affiliated interest unless and
33 until such contract or arrangement shall have been
34 found by the commission not to be adverse to the pub-

1 lic interest and shall have received its written ap-
2 proval.

3 Any such contract or arrangement filed with the com-
4 mission hereunder shall be deemed approved unless the
5 commission disapproves such within 60 days of filing.
6 The commission may, however, suspend the effective
7 date of the contract ~~on~~ or arrangement for an addi-
8 tional ~~30~~ 60 days if a hearing is deemed necessary to
9 take action on the contract or arrangement necessary
10 to enable the commission to complete its review of
11 the contract or arrangement.

12 The commission may approve a contract or arrangement
13 undertaken subsequent to the effective date of this
14 Act, subject to such terms and conditions as it deems
15 necessary to safeguard the public interest. If such
16 contracts or arrangements are not consented to or ap-
17 proved by the commission as provided in this section,
18 the commission may disallow, for rate-making pur-
19 poses, payments or such part of any such payments
20 thereunder as the commission finds not to be in the
21 public interest.

22 The commission shall, in the case of any utility or
23 groups of utilities, have the power to exempt
24 herefrom, from time to time, such classes of transac-
25 tions as it may specify by rule or regulation in ad-
26 vance and which in its judgment will not be adverse
27 to the public interest.

28 Commission approval of any such contract or arrange-
29 ment under this section shall not limit or restrict
30 the powers of the commission in determining and fix-
31 ing any rate, fare, toll, charge, classification,
32 schedule or joint rate as provided in chapters 1 to
33 17.

34 STATEMENT OF FACT

35 This bill clarifies the language of Title 35,
36 section 104 by eliminating the suggestion that a pub-
37 lic hearing must be held if the commission suspends
38 the effective date of an affiliated contract.

1 The bill also extends the total amount of time
2 available to the commission for reviewing affiliated
3 contracts from 90 to 120 days.

4

5327120583