

MAINE STATE LEGISLATURE

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(EMERGENCY)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 1910

H.P. 1458

House of Representatives, January 10, 1984

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

EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.

Cosponsors: Representative Bost of Orono and Senator Kany of
Kennebec.

STATE OF MAINE

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

AN ACT to Raise the Annual Public
Utilities Commission Regulatory Fund
Assessments to \$1,660,000 for Fiscal
Year 1985.

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 year ending June
30, 1985; and

Whereas, the assessment for the first of those
fiscal years, fiscal year 1985, must take place be-
fore May 1, 1984; and

Whereas, the current assessment allowance will
not provide the Public Utilities Commission with suf-
ficient funds; 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 Sec. 1. 35 MRSA §17, sub-§1, as amended by PL
10 1983, c. 390, §1, is further amended to read:

11 1. Utilities subject to assessments. Every elec-
12 tric, gas, telegraph, telephone and water utility
13 subject to regulation by the commission and every wa-
14 ter carrier subject to the jurisdiction of the com-
15 mission pursuant to Private and Special Act of the
16 Legislature shall be subject to an assessment of not
17 more than .25% on its intrastate gross operating rev-
18 enues to produce no more than ~~\$1,160,000~~ \$1,360,000
19 in revenues annually beginning in the 1983-84 1984-85
20 fiscal year. Notwithstanding any other provision of
21 law, the amount of annual revenue to be raised by
22 this section shall be increased by an additional
23 \$300,000 to supplant an equal amount of General Fund
24 revenues used previously to fund commission activi-
25 ties which shall instead be appropriated for the use
26 of the Public Advocate. The commission shall de-
27 termine the assessments annually prior to May 1st and
28 shall assess each utility for its pro rata share.
29 Each utility shall pay the assessment charged to the
30 utility on or before July 1st of each year.

31 A. The assessments charged to utilities under
32 this section shall be deemed just and reasonable
33 operating costs for rate-making purposes.

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

38 Sec. 2. 35 MRSA §17, sub-§4, as amended by PL
39 1983, c. 390, §2, is further amended to read:

1 1. To fund the establishment of 5 Clerk Typist
2 II positions in the Public Utilities Commission Regu-
3 latory Fund, beginning in fiscal year 1984-85. The
4 cost of each position is \$13,268.50. One Clerk Typist
5 II will be assigned to each of the following commis-
6 sion divisions: Administrative Division, Consumer As-
7 sistance Division, Legal Division, Technical Analysis
8 Division and Finance Division. The cost of all 5 po-
9 sitions is \$66,342.50;

10 2. To fund the establishment of a Clerk Steno
11 III position in the Public Utilities Commission Regu-
12 latory Fund, beginning in fiscal year 1984-85. This
13 position will be located in the secretary's office.
14 The cost of the position is \$14,887.50;

15 3. To fund the establishment of a Computer Re-
16 search Specialist position in the Public Utilities
17 Commission Regulatory Fund, beginning in fiscal yer
18 1984-85. This position will be located in the Finance
19 Division. The cost of the position is \$23,081;

20 4. To fund the establishment of a Utility Tech-
21 nical Analyst position in the Public Utilities Com-
22 mission Regulatory Fund, beginning in fiscal year
23 1984-85. This position will be located in the Techni-
24 cal Analysis Division. The cost of the position is
25 \$23,081;

26 5. To fund a variety of All Other budget catego-
27 ry increases, including \$22,000 in general operating
28 expenses, increases in postage, printing and legal
29 advertising; \$11,000 in professional services and
30 \$13,025 as the appropriate increase STA-CAP, for to-
31 tal All Other category increase of \$46,025; and

32 6. To fund an increase in the commission's Capi-
33 tal Expenditures budget category in order to facili-
34 tate the acquisition of a word processing system,
35 with a total cost of approximately \$40,000, replacing
36 a current annual rental cost for an incomplete system
37 in excess of \$42,000. The amount proposed to be addi-
38 tionally allocated for this purpose, together with
39 \$13,000 in General Fund reallocations, is \$26,583.

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