

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1976

6
7 H.P. 1505

House of Representatives, January 19, 1984

8 Reported by Representative Vose from the Committee on Public Utilities.
9 Sent up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Submitted by the Joint Standing Committee on Public Utilities pursuant to
Joint Rule 18, as approved by the Legislative Council, on May 25, 1983.

11
12 STATE OF MAINE
13

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

17 AN ACT to Promote Competition in the
18 Electric Power Industry.
19

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

22 Sec. 1. 35 MRSA §2328, as enacted by PL 1981, c.
23 482, is amended to read:

24 §2328. Purchase and resale of electric energy or ca-
25 capacity by Public Utilities Commission

26 The Public Utilities Commission, when authorized
27 by the Governor, shall represent the State in negoti-
28 ating, contracting for and purchasing electric energy
29 whether generated inside or outside of the State, and
30 in reselling the purchased energy to electric compa-
31 nies serving this State, as defined in chapter 1,
32 when the commission determines that the purchases and
33 resales will serve the energy needs of the State in a
34 manner consistent with the public interest. As used

1 in this section, the term electrical energy shall include
2 capacity. All resales of electric energy under
3 this section shall be on a nonprofit basis without
4 preference or discrimination, and may include, sub-
5 ject to the approval of the Governor, costs incurred
6 by the commission in its negotiating, contracting and
7 purchasing activities under this section. In the case
8 where no purchase-sale agreement is made, the Gover-
9 nor shall be responsible for proposing a method of
10 paying the costs he has approved in conjunction with
11 the negotiations. The commission may resell purchased
12 energy or capacity under this section to electric
13 utilities operating outside of the State if the re-
14 sale is reasonably incidental to the resale of power
15 within the State. In addition, the commission may
16 contract for the transmission of energy purchased under
17 this section to the place of resale, and shall
18 have all implied and incidental powers which are rea-
19 sonably necessary and proper to enable it to carry
20 out the purpose of this section. No electric company
21 may refuse to transmit energy purchased under this
22 section via its facilities at reasonable rates if it
23 has capability to transmit the energy.

24 **Sec. 2. Study authorized.** There is established
25 a Maine Public Power Generation Study Commission.
26 The commission shall consist of 11 members as fol-
27 lows: One representative of the Public Utilities
28 Commission; one representative of the Office of Ener-
29 gy Resources; one representative of the Office of
30 Public Advocate; one representative of a publicly-
31 owned utility; one representative of a privately-
32 owned utility; one expert in the area of public util-
33 ity financing; one expert in the field of electric
34 generating capacity planning or construction; one
35 member of the Senate; one member of the House of Rep-
36 resentatives; and 2 consumers of electrical energy.
37 The member of the Senate shall be appointed by the
38 President of the Senate. The member of the House of
39 Representatives shall be appointed by the Speaker of
40 the House. All other members shall be appointed by
41 the Governor.

42 **Sec. 3. Powers.** The commission shall employ
43 consultants to evaluate the advantages and disadvan-
44 tages of alternative methods of providing for plan-
45 ning, construction and operation of new electric gen-

