

MAINE STATE LEGISLATURE

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(New Draft of H.P. 1406, L.D. 1828)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 2323

H.P. 1760

House of Representatives, March 22, 1984

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

Original bill presented by Representative Ridley of Shapleigh.

Cosponsored by Representative Weymouth of West Gardiner, Representative Vose of Eastport and Senator Emerson of Penobscot.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN ACT to Clarify Utility Financing
of Energy Conservation.

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

Sec. 1. 35 MRSA §94, as amended by PL 1981, c. 305, is repealed and the following enacted in its place:

§94. The Public Utilities Commission shall require the necessary improvements

1. Rate design and conservation improvements. The Public Utilities Commission shall mandate, after notice and hearing on the proposed schedule, a scheduled phasing-in of the improvements in electric utility rate design and related regulatory programs approved under section 93 and is authorized to order utilities to develop and implement electric

1 utility rate design improvements approved by the com-
2 mission on temporary, pilot and experimental basis,
3 affecting either a portion or all of any class of
4 consumers of any utility as the commission may deter-
5 mine is appropriate to carry out the purposes of this
6 Act, and order other energy conservation techniques,
7 programs and innovations relating to electric public
8 utility service that, in the commission's judgment,
9 are practicable, just and reasonably related to ful-
10 filling the purposes of this chapter. In ordering
11 any rate design improvements or any other programs
12 for implementing energy conservation techniques and
13 innovations referred to in section 93, the commission
14 shall consider and assure the revenue requirements of
15 the utility.

16 2. Initial cost recovery. In assuring the reve-
17 nuce requirements of the utility with respect to pro-
18 grams for implementing energy conservation techniques
19 or innovations, the commission shall, upon petition,
20 permit the utility to adjust rates to recover the
21 reasonable incremental costs associated with imple-
22 menting those programs to the extent that the costs
23 are not already reflected in the utility's existing
24 rates and provided that that adjustment does not re-
25 sult in rates that are unjust or unreasonable. The
26 adjustment shall include reasonable costs of all pro-
27 grams ordered under this chapter incurred as of the
28 time of the adjustment and reasonable estimated costs
29 of operating the conservation programs.

30 3. Rules. Within 90 days of the effective date
31 of this Act, the commission shall adopt rules imple-
32 menting the requirements of subsection 2. Notwith-
33 standing any other provision of this Title, such
34 rules may include:

35 A. Procedures to periodically reconcile or ad-
36 just any rate adjustment ordered under subsection
37 2 or similar costs reflected in the utility's ex-
38 isting rates;

39 B. Procedures which provide incentives and
40 disincentives for the effective implementation of
41 this Act; and

