

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 73

7 S.P. 54

In Senate, January 16, 1985

8 Referred to the Committee on Energy and Natural Resources. Ordered
9 printed and sent down for concurrence.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Erwin of Oxford.

11 Cosponsored by Senator Kany of Kennebec, Representative Mills of
Bethel and Representative Erwin of Rumford.

12 STATE OF MAINE
13

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

17 AN ACT Amending the Charter of the
18 Androscoggin Reservoir Company.
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20 Be it enacted by the People of the State of Maine as
21 follows:

22 Sec. 1. P&SL 1909, c. 147, §3 is amended to
23 read:

24 Section 3. May build dam and works on Magalloway
25 river. This corporation is hereby authorized to
26 build a dam and other necessary works and structures
27 on Magalloway river at or near the head of Aziscoos
28 Falls, so called, in Lincoln plantation in the county
29 of Oxford in the state of Maine, for the purpose of
30 creating storage basins and reservoirs to retain and
31 control the waters of said Magalloway river, thereby
32 increasing and making more constant the flow of water
33 in said Magalloway river and the Androscoggin river,
34 which shall be available at all seasons of the year
35 for use for manufacturing and power purposes; ~~pre-~~
36 ~~vided that nothing herein contained shall authorize~~

1 this corporation to divert the waters so stored from
2 their natural channel, nor to decrease the flow in
3 said Magalloway river below the natural low-water
4 flow, and, in order to facilitate the driving of logs
5 and lumber down said Magalloway river, this corpora-
6 tion is hereby authorized to build side dams, sheer
7 booms, remove rocks, make embankments and other im-
8 provements on said Magalloway river from the head of
9 said Aziscoos Falls to the boundary line between
10 Maine and New Hampshire.

11 Sec. 2. P&SL 1909, c. 147, §11, 2nd ¶ is re-
12 pealed.

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STATEMENT OF FACT

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This bill facilitates the reconstruction of
3 Maine's indigenous hydro energy resources.

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The Androscoggin Reservoir Company, which is owned by Union Water Power Company (a wholly-owned subsidiary of Central Maine Power Company), International Paper Company, Public Service Company of New Hampshire, Rumford Falls Power and Light Company (a wholly-owned subsidiary of Boise Cascade Paper Company), and James River Company, proposes to install new power generating facilities at its dam at Aziscoos Falls. The electricity produced will be sold to Central Maine Power Company, displacing oil-fired generation. This bill allows the project to comply with the provisions of the permit issued by the Maine Land Use Regulation Commission for development of the hydroelectric potential and allow an economic development through flow diversions of the Magalloway River as provided in the Maine Land Use Regulation Commission permit issued to Androscoggin. This bill removes the original charter prohibition against decreasing the flow in the river below the natural low-water flow.

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In addition, the bill removes the prohibition against the export of electricity produced at Aziscoos beyond Maine's borders. An identical prohibition has recently been declared unconstitutional by the United States Supreme Court. New England Power Company v. New Hampshire, 455 U.S. 331 (1982).

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