

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 150
6

7 H.P. 125

House of Representatives, January 22, 1985

8 Reference to the Committee on Utilities suggested and ordered printed.

9 EDWIN H. PERT, Clerk

10 Presented by Representative Vose of Eastport.

Cosponsored by Representative Richard of Madison, Senator Perkins of
Hancock and Representative Paradis of Old Town.

11
12 STATE OF MAINE
13

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

17 AN ACT Clarifying the Authority of Utilities
18 to Establish Disconnection and Deposit
19 Rules.
20

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

23 Sec. 1. 35 MRSA §105, 2nd ¶, as enacted by PL
24 1983, c. 233, §1, is amended to read:

25 No later than December 31, 1983, every public
26 utility shall file with the commission schedules con-
27 taining its own distinct terms and conditions for re-
28 quiring a deposit from nonresidential customers,
29 which terms and conditions shall be subject to the
30 commission's power under chapters 1 to 17 this Title.
31 Notwithstanding any other provision of this Title,
32 the commission shall not require that the terms and
33 conditions of any public utility be uniform with
34 those of any other public utility. Every public util-
35 ity shall comply with its terms and conditions. The
36 commission shall adopt rules which provide a proce-

1 dure for resolution by the commission or its delegate
2 of disputes as to whether a deposit being required by
3 a public utility is in compliance with its terms and
4 conditions. If the rules authorize a delegate to re-
5 solve disputes, the rules shall include a procedure
6 for appeal of the decision to the commission.

7 Sec. 2. 35 MRSA §314, 2nd ¶, as enacted by PL
8 1983, c. 233, §2, is amended to read:

9 No later than December 31, 1983, every public
10 utility shall file with the commission schedules con-
11 taining its own distinct terms and conditions appli-
12 cable to termination of utility services to any non-
13 residential customer, which terms and conditions
14 shall be subject to the commission's power under
15 chapters 1 to 17 this Title. Notwithstanding any
16 other provision of this Title, the commission shall
17 not require that the terms and conditions of any
18 utility be uniform with the terms and conditions of
19 any other public utility. Every public utility shall
20 comply with its terms and conditions. The commission
21 shall adopt rules which provide a procedure for reso-
22 lution by the commission or its delegate of disputes
23 as to whether a proposed termination by a public
24 utility is in compliance with its terms and condi-
25 tions. A public utility may not terminate service to
26 a nonresidential customer if the commission or its
27 delegate rules within 7 days of receipt of the re-
28 quest for ruling that the proposed termination is not
29 in compliance with the utility's terms and condi-
30 tions. If the rules authorize a delegate to resolve
31 disputes, the rule shall include a procedure for ap-
32 peal of the decision to the commission.

33 STATEMENT OF FACT

34 This bill makes clear that each public utility is
35 authorized to develop its own procedures for requir-
36 ing nonresidential customer deposits and handling
37 disconnections of nonresidential customers.

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