

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1167

8 H.P. 826

House of Representatives, March 28, 1985

9 Referred to the Committee on Utilities. Sent up for concurrence and
10 ordered printed.

11 EDWIN H. PERT, Clerk

Presented by Representative Vose of Eastport.

12
13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Study the Effect of Local Measured
19 Service.
20

21 **Emergency preamble.** Whereas, Acts of the Legis-
22 lature do not become effective until 90 days after
23 adjournment unless enacted as emergencies; and

24 Whereas, the Public Utilities Commission has or-
25 dered that mandatory local measured service begin on
26 July 1, 1985; and

27 Whereas, there have not been adequate studies to
28 assess the potential impact of this decision on vari-
29 ous groups of ratepayers, including the elderly,
30 shut-ins, low-income, small businesses, persons liv-
31 ing in group situations and families and individuals
32 within these groups of ratepayers; and

33 Whereas, in the judgment of the Legislature,
34 these facts create an emergency within the meaning of

1 the Constitution of Maine and require the following
2 legislation as immediately necessary for the preser-
3 vation of the public peace, health and safety; now,
4 therefore,

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

7 **Sec. 1. Local measured service delayed.** The
8 nonoptional local measured service rate structure or-
9 dered by the Public Utilities Commission to take ef-
10 fect beginning July 1, 1985, shall not take effect
11 prior to July 1, 1986. In the meantime, the compara-
12 tive billing required by the commission order shall
13 continue, subject to modification and improvement by
14 the commission.

15 **Sec. 2. Study.** The Joint Standing Committee on
16 Utilities, with the assistance of the Public Advocate
17 and the State Planning Office, shall study the impact
18 of mandatory local service on residential and busi-
19 ness customers and report their findings to the Leg-
20 islature by January 15, 1986, together with any leg-
21 islative or other recommendations.

22 **Sec. 3. Contract; assessment.** The Public Advo-
23 cate shall contract for the necessary survey research
24 to analyze the potential impact of mandatory local
25 measured service on various ratepayers within each
26 class of the State at a cost not to exceed \$25,000,
27 to be paid from the Public Utilities Regulatory Fund.
28 The Public Advocate may subcontract with the Univer-
29 sity of Maine, the Maine Development Foundation or
30 another organization with the expertise to conduct
31 the research. The contract signed in accordance with
32 this section shall be exempt from the bid, award and
33 contract review procedures of the Maine Revised Stat-
34 utes, Title 5, chapter 155.

35 **Sec. 4. Assessment; allocation.** For purposes of
36 this Act, the telephone utilities in the State shall
37 be assessed an additional \$25,000 to be credited to
38 the Public Utilities Commission Regulatory Fund. The
39 following sums are allocated from the Public Utili-
40 ties Commission Regulatory Fund to carry out the pur-
41 poses of this Act.

1

1984-85

2

EXECUTIVE DEPARTMENT

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Office of Public Advocate

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All Other

\$25,000

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Any unexpended

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funds from this

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allocation may

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be carried for-

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ward to fiscal

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year 1985-86.

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At the end of

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the study under

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section 2, any

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unexpended por-

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tion of these

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funds shall be

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returned to the

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Public Utilities

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Commission Regu-

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latory Fund.

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Emergency clause. In view of the emergency cited

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in the preamble, this Act shall take effect when ap-

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proved.

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STATEMENT OF FACT

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The Public Utilities Commission has ordered that

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mandatory local measured service begin in several mu-

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nicipalities beginning this July. Presently, there

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is only limited information available indicating who

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the low users are that measured service may help. No

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one knows precisely which types of individuals and

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businesses will be benefited or harmed by the manda-

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tory measured service.

33

This bill orders a study to determine the precise

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characteristics of the telephone users that will ex-

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perience increases and decreases in their local tele-

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phone bills. The study will be supervised by the

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joint standing committee of the Legislature having

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jurisdiction over public utilities with the assist-

1 ance of the State Planning Office and the Public Ad-
2 vocate. It will study the impact of measured service
3 on the telephone bills of small businesses, municipal
4 governments, the elderly, civic groups and the poor.
5 It will note variations within each class, as well as
6 the effect on the class as a whole. It is important
7 to know who the people are that will be affected by
8 measured service, not just the number of people whose
9 bills will increase or decrease. The study will be
10 funded by assessing an additional \$25,000 to the Pub-
11 lic Utilities Commission Regulatory Fund to be col-
12 lected from the telephone companies.

13

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