

# MAINE STATE LEGISLATURE

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L.D. 1652

(Filing No. H- 473 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
112TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1145, L.D.  
1652, Bill, "AN ACT to Promote Industrial Stability."

Amend the Bill in section 1 in that part designated "§1036." in subsection 1, paragraph C, subparagraph (1) in the 18th and 19th lines (page 3, lines 23 and 24 in L.D.) by striking out the following: "wage and salary reductions and concessions."

Further amend the Bill by inserting after section 1 the following:

'Sec. 2. 35 MRSA §15, sub-§15-A is enacted to read:

15-A. Rate stability. "Rate stability" includes the implementation of rate changes to any existing customer class, of the magnitude or on such a schedule as to not be seriously adverse to the existing class of customers.

Sec. 3. 35 MRSA §69, first ¶ is amended to read:

Whenever the commission receives notice of any change or changes proposed to be made in any schedule of rates filed with said commission under the provisions of law, it shall have power at any time before the effective date of such change or changes, either upon complaint or upon its own motion and after reasonable notice, to hold a public hearing and make investigation as to the propriety of such proposed change or changes. At any such hearing involving any change or changes as above specified, the burden of proof to show that such change is reasonable shall be upon the public utility. After such hearing and investigation, the commission may make such order with reference to any new rate, joint rate, fare, rental,

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1 toll, classification, charge, rule, regulation or  
2 form of contract or agreement proposed as would be  
3 proper in a proceeding initiated upon complaint or  
4 upon motion of the commission in any rate investiga-  
5 tion. In implementing the order, the commission shall  
6 assure rate stability.

7 Sec. 4. 35 MRSA §94, sub-§1, as enacted by PL  
8 1983, c. 723, §1, is amended to read:

9 1. Rate design and conservation improvements.  
10 The Public Utilities Commission shall mandate, after  
11 notice and hearing on the proposed schedule, a sched-  
12 uled phasing-in of the improvements in electric utili-  
13 ty rate design and related regulatory programs ap-  
14 proved under section 93 and is authorized to order  
15 utilities to develop and implement electric utility  
16 rate design improvements approved by the commission  
17 on temporary, pilot and experimental basis, affecting  
18 either a portion or all of any class of consumers of  
19 any utility as the commission may determine is appro-  
20 priate to carry out the purposes of this Act, and or-  
21 der other energy conservation techniques, programs  
22 and innovations relating to electric public utility  
23 service that, in the commission's judgment, are prac-  
24 ticable, just and reasonably related to fulfilling  
25 the purposes of this chapter. In ordering any rate  
26 design improvements or any other programs for imple-  
27 menting energy conservation techniques and innova-  
28 tions referred to in section 93, the commission shall  
29 consider rate stability and shall assure the revenue  
30 requirements of the utility.

31 Sec. 5. 35 MRSA §294, first ¶ is amended to  
32 read:

33 If upon such formal public hearing the rates,  
34 tolls, charges, schedules or joint rates shall be  
35 found to be unjust, unreasonable, insufficient or un-  
36 justly discriminatory or otherwise in violation of  
37 chapters 1 to 17, the commission shall have power to  
38 fix and order substituted therefor such rate or

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1 rates, tolls, charges or schedules as shall be just  
2 or reasonable. If upon such public hearing it shall  
3 be found that any regulation, measurement, practice,  
4 act or service complained of is unjust, unreasonable,  
5 insufficient or unjustly discriminatory or otherwise  
6 in violation of any of the provisions of chapters 1  
7 to 17 or if it is found that any service is inade-  
8 quate or that any reasonable service cannot be ob-  
9 tained, the commission shall have power to establish  
10 and substitute therefor such other regulations, mea-  
11 surements, practice, service or acts, and to make  
12 such order respecting and such changes in such regu-  
13 lations, measurements, practice, service and acts as  
14 shall be just and reasonable. In determining the  
15 justness and reasonableness of the order, the commis-  
16 sion shall assure rate stability.'

17 Further amend the Bill by renumbering sections 2  
18 and 3 to be sections 6 and 7.

19 STATEMENT OF FACT

20 This amendment requires the Public Utilities Com-  
21 mission to consider rate stability in setting rates.

22 4476061885

Reported by the Majority of the Committee on Appropriations and  
Financial Affairs  
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