

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1788

6
7 S.P. 703

In Senate, January 9, 1986

8 Approved for introduction by a majority of the Legislative Council
9 pursuant to Joint Rule 26.

Reference to the Committee on Utilities suggested and ordered printed.

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

Presented by Senator Kany of Kennebec.

11 Cosponsored by Senator Andrews of Cumberland, Representative Clark
of Millinocket and Representative Vose of Eastport.

12 STATE OF MAINE
13

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

17 AN ACT to Review the New England Electric
18 Power Agreement.
19

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

22 Sec. 1. Study of the New England Power Pool
23 Agreement. The Public Advocate shall review the New
24 England Power Pool Agreement, make findings with re-
25 spect to the need for that agreement and report to
26 the Legislature and the Public Utilities Commission
27 prior to December 1, 1986.

28 Sec. 2. Action by the Public Utilities Commis-
29 sion. In any general rate case of fuel adjustment
30 proceeding filed prior to July 1, 1990, by a utility
31 member of the New England Power Pool, the Public
32 Utilities Commission shall consider the findings of
33 the Public Advocate under section 1, in determining
34 the validity for rate-making purposes of any expense,
35 obligation or receipt by the utility under the New
36 England Power Pool Agreement. Any such expense, ob-

1 ligation or receipt which is found to be imprudent
 2 shall be disallowed or modified by the commission in
 3 its order. If no general rate case or fuel adjust-
 4 ment clause case is filed prior to July 1, 1987, by a
 5 utility member of the New England Power Pool, the
 6 Public Utilities Commission shall conduct an investi-
 7 gation in accordance with the Maine Revised Statutes,
 8 Title 35, section 296 to carry out the purpose of
 9 this section.

10 Sec. 3. Assessment; allocation. Any utility
 11 which is a member of New England Power Pool shall pay
 12 to the Public Utilities Regulatory Fund, in propor-
 13 tion to its intrastate gross operating revenues, its
 14 share of \$50,000 for the purpose of the study of sec-
 15 tion 1.

16 Sec. 4. Allocation. Income not otherwise allo-
 17 cated from the Public Utilities Commission Regulatory
 18 Fund is allocated for the fiscal year ending June 30,
 19 1986, and shall be segregated, apportioned and dis-
 20 bursed as designated in the following schedule.

21 1985-86

22 EXECUTIVE DEPARTMENT

23 Public Advocate

24 All Other \$50,000

25 These funds are
 26 to be used by
 27 the Public Advo-
 28 cate to conduct
 29 the study estab-
 30 lished in sec-
 31 tion 1. Any un-
 32 expended portion
 33 of these funds
 34 may be carried
 35 forward to the
 36 next fiscal
 37 year, but any
 38 unexpended por-
 39 tion of these
 40 funds and the

1 interest accrued
2 thereon as of
3 June 30, 1987,
4 shall be re-
5 turned to the
6 utilities which
7 were assessed in
8 proportion to
9 that assessment.

10

STATEMENT OF FACT

11 This bill requires the Public Advocate to review
12 the New England Power Pool Agreement to determine its
13 benefit and liabilities for electric customers in the
14 State. The agreement as a whole has not been subject
15 to regulatory review.

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