

1 2	SECOND REGULAR SESSION
3 4	ONE HUNDRED AND TWELFTH LEGISLATURE
5 6	Legislative Document No. 2127
7 8	S.P. 838 In Senate, March 4, 1986 Approved for introduction by a majority of the Legislative Council
9 10	pursuant to Joint Rule 26. Reference to the Committee on Utilities suggested and ordered printed. JOY J. O'BRIEN, Secretary of the Senate
11	Presented by Senator Violette of Aroostook. Cosponsored by Representative Murphy of Kennebunk, Representative Vose of Eastport and Representative Paradis of Old Town.
12 13	STATE OF MAINE
14 15 16	IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SIX
17 18 19	AN ACT to Limit the Public Advocate to Active Rate Cases.
20 21	Be it enacted by the People of the State of Maine as follows:
22 23	Sec. 1. 35 MRSA §1-A, sub-§4, as amended by PL 1985, c. 481, Pt. A, §§66 and 67, is repealed.
24 25	<pre>Sec. 2. 35 MRSA §1-A, sub-§4-A is enacted to read:</pre>
26 27 28 29 30 31 32	4-A. Duties. Except as otherwise provided, the duties and responsibilities of the Public Advocate shall be limited to intervening in proceedings brought before the commission pursuant to section 64 or 298 for the purpose of presenting testimony on the reasonableness of the rates under review in that pro- ceeding.
33 34	<pre>Sec. 3. 35 MRSA §1-A, sub-§13 is enacted to read:</pre>

1	13. Limitations. In carrying out its duties,
2	the Public Advocate shall not coerce or threaten any
3	public utility. Any stipulation or settlement agree-
4	ment entered into by the Public Advocate shall be
5	limited to the issues before the commission and shall
6	not include provisions requiring utilities to take
7	actions not directly related to the proceeding. Ex-
8	cept for stipulations and settlement agreements, the
9	Public Advocate shall not enter into any agreement
10	with any utility.

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STATEMENT OF FACT

12 The purpose of this bill is to limit the activi-13 ties of the Public Advocate to protecting consumers 14 in rate cases and to prohibit the Public Advocate 15 from using the office to intimidate threaten or а 16 public utility with sanctions for sincerely present-17 ing its views to the Public Utilities Commission. 18 Recently, the Public Advocate has involved himself in 19 activities which are not directly related to rate 20 cases. For example, the Public Advocate recently 21 consented to a recent rate increase for Central Maine Company on the condition that Central Maine 22 Power 23 Power agree to attempt to take over the Maine Public 24 Service Company. Despite opposition to this proposal 25 from the Maine Public Service Company and a majority 26 of the people of Aroostook County, the Public Advo-27 has repeatedly attempted to pressure the Maine cate 28 Public Service Company into agreeing to be taken over by Central Maine Power. This bill directs the Public 29 30 the job which originally Advocate to do was 31 envisioned in 1981 when the office was created, 32 representing consumers in rate cases.

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