

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 2128

6
7 S.P. 839

In Senate, March 4, 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 Violette of Aroostook.

Cosponsored by Representative Paradis of Augusta.

11
12 STATE OF MAINE
13

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

17 AN ACT Relating to the Maine Public Utilities
18 Commission's Regulation of Cable
19 Television Companies.
20

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

23 35 MRSA §256, as amended by PL 1983, c. 802, §6,
24 is further amended to read:

25 §256. Joint use of equipment

26 Whenever the commission, after a hearing had upon
27 its own motion or upon complaint of a public utili-
28 ties ~~or cable television system~~ affected, shall find
29 that public convenience and necessity require the use
30 by one public utility ~~or cable television system~~ of
31 the conduits, subways, tracks, wires, poles, pipes or
32 other equipment, or any part thereof, on, over or un-
33 der any street or highway and belonging to another
34 public utility ~~or cable television system~~, and that
35 such use will not result in irreparable injury to the

1 owner or other users of such conduits, subways,
2 tracks, wires, poles, pipes or other equipment or in
3 any substantial detriment to the service, and that
4 such public utilities ~~or cable television system~~ have
5 failed to agree upon such use or the terms and condi-
6 tions or compensation for the same, the commission
7 may by order direct that such use be permitted and
8 prescribe a reasonable compensation and reasonable
9 terms and conditions for the joint use. If such use
10 be directed, the public utility ~~or cable television~~
11 ~~system~~ to whom the use is permitted shall be liable
12 to the owner or other users of such conduits, sub-
13 ways, tracks, wires, poles, pipes or other equipment
14 for such damage as may result therefrom to the prop-
15 erty of such owner or other users thereof. Any ac-
16 tions taken ~~or orders issued by the commission under~~
17 ~~this section shall take into account the interests of~~
18 ~~the subscribers of the affected cable television sys-~~
19 ~~tem, as well as the customers of the affected public~~
20 ~~utilities-~~

21

STATEMENT OF FACT

22 The purpose of this bill is to repeal the juris-
23 diction of the Public Utilities Commission over the
24 joint use of equipment by cable television companies
25 and public utilities.

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