

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1095

S.P. 360

In Senate, April 2, 1987

Reference to the Committee on Utilities suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate  
Presented by Senator KANY of Kennebec.

Cosponsored by Senator ERWIN of Oxford, Senator KERRY of York, Representative VOSE of Eastport.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1                    **AN ACT** Requiring Evaluation of New England  
2                    **Electric Power Pool Membership.**  
3

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

6                    **35 MRSA §13-D** is enacted to read:

7                    §13-D. New England Electric Power Pool Agreement

8                    1. Utility review of the New England Electric  
9                    Power Pool Agreement. The Public Utilities Commis-  
10                   sion shall require, by rule, that each Maine utility  
11                   which is a member of the New England Electric Power  
12                   Pool Agreement review that agreement at least every 5  
13                   years. The utilities may conduct that review joint-  
14                   ly. That review shall address the following factors  
15                   and concerns and any others which the commission

1 finds relevant to participation in the New England  
2 Electric Power Pool Agreement:

3 A. Capacity and reserve requirement;

4 B. Energy requirements including reserve re-  
5 quirements;

6 C. Reliability;

7 D. Transmission and wheeling;

8 E. Pooled purchases from outside the State;

9 F. Treatment of cogeneration contracts;

10 G. Allocation of interruptible credit;

11 H. Whether the agreement and practices encourage  
12 efficient and economic decisions with respect to  
13 future electric supply options;

14 I. Planning of generation, power purchases and  
15 transmission; and

16 J. Operation and dispatch of supply.

17 The review shall evaluate whether participation in  
18 the New England Electric Power Pool Agreement is the  
19 economically best option for the particular Maine  
20 utility. It shall also investigate whether the allo-  
21 cation of costs and benefits and responsibility for  
22 planning decisions within the New England Electric  
23 Power Pool Agreement is reasonable.

24 2. Review by nonmembers. The Public Utilities  
25 Commission may require any Maine electric utility  
26 servicing more than 20,000 customers, which is not a  
27 member of the New England Electric Power Pool Agree-  
28 ment, to conduct reviews of the possibility of join-  
29 ing the New England Electric Power Pool Agreement,  
30 similar to the review of subsection 1 at intervals of  
31 at least 5 years.

32 3. Public Utilities Commission review of the New  
33 England Electric Power Pool Agreement. The utility  
34 shall submit to the commission a report of any review

1 undertaken in accordance with this section together  
2 with supporting data and additional information as  
3 required for review by the commission. If the Public  
4 Utilities Commission finds, after consideration of a  
5 utility's submission under subsection 1 or 2, that  
6 further investigation by the commission is warranted,  
7 then the commission shall proceed under section 296.  
8 This shall not preclude the commission from conduct-  
9 ing a review of a utility's participation or  
10 nonparticipation in the New England Electric Power  
11 Pool Agreement at any time on its own motion in ac-  
12 cordance with section 296, even if the utility has  
13 filed no submission on the issue.

14

#### STATEMENT OF FACT

15           The New England Electric Power Pool Agreement has  
16 major significance for Maine utilities. The Central  
17 Maine Power Company and the Bangor Hydroelectric Com-  
18 pany, the only 2 members in the State, completed a  
19 review of their membership in 1986. The bill re-  
20 quires such a review at least every 5 years.

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