

MAINE STATE LEGISLATURE

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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2225

H.P. 1630 House of Representatives, February 10, 1988
Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Utilities suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative VOSE of Eastport.
Cosponsored by Senator KERRY of York.

STATE OF MAINE

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

1 **AN ACT to Increase the Effectiveness of the**
2 **Public Utilities Commission through**
3 **Computerization and to Provide Certain**
4 **Exceptions from the Annual Regulatory**
5 **Fund Assessment and from Filing Annual**
6 **Reports and Certain Other Changes.**
7

8 Be it enacted by the People of the State of Maine as
9 follows:

10 **Sec. 1. 2 MRSA §6-A, sub-§3-A, as enacted by PL**
11 **1985, c. 618, §2, is amended to read:**

1 3-A. Other employees; range 80. The salaries of
2 the following employees shall be within salary range
3 80:

4 A. Assistant administrative director; and

5 B. Assistant to the director of consumer
6 assistance; and

7 C. Administrative assistant to the administrative
8 director.

9 **Sec. 2.** 5 MRSA §931, sub-§1, ¶J, as repealed
10 and replaced by PL 1987, c. 402, Pt. A, §27, is
11 repealed and the following enacted in its place:

12 J. Staff attorney, utility financial analyst,
13 utility accountant, utility technical analyst,
14 assistant administrative director, administrative
15 assistant to the administrative director and
16 assistant to the director of consumer assistance
17 positions at the Public Utilities Commission;

18 **Sec. 3.** 35-A MRSA §107, sub-§2, ¶¶A and C, as
19 enacted by PL 1987, c. 141, Pt. A, §6, are amended to
20 read:

21 A. The general counsel, the administrative
22 director, the assistant administrative director,
23 the administrative assistant to the administrative
24 director, the director of finance, the director of
25 technical analysis, the director of consumer
26 assistance and the assistant to the director of
27 consumer assistance shall serve at the pleasure of
28 the commission and their salaries shall be set by
29 the commission within the ranges established by
30 Title 2, section 6-A.

31 C. The salaries of the other subordinate
32 officials and employees of the commission, other
33 than those of the general counsel, the
34 administrative director, the assistant

1 administrative director, the administrative
2 assistant to the administrative director, the
3 director of finance, the director of technical
4 analysis, the director of consumer assistance, the
5 assistant to the director of consumer assistance
6 and the staff attorney, financial analyst, chief
7 utility accountant and utility accountant III
8 positions, shall be subject to the Civil Service
9 Law, except as provided in paragraph D.

10 Sec. 4. 35-A MRSA §116, sub-§1, as enacted by
11 PL 1987, c. 141, Pt. A, §6, is amended to read:

12 1. Utilities subject to assessments. Every
13 electric, gas, telegraph, telephone and water utility
14 and ferry subject to regulation by the commission
15 shall be subject to an assessment of not more than
16 .25% on its intrastate gross operating revenues to
17 produce no more than ~~\$2,219,000~~ in revenues annually
18 ~~beginning in the 1987-88 fiscal year and not more than~~
19 ~~\$2,309,000~~ \$2,379,000 in revenues annually beginning
20 in the 1988-89 fiscal year. The commission shall
21 determine the assessments annually prior to May 1st
22 and shall assess each utility for its pro rata share.
23 Each utility shall pay the assessment charged to the
24 utility on or before July 1st of each year. Any
25 increase in the assessment that becomes effective
26 subsequent to May 1st may be billed on the effective
27 date of the act authorizing the increase.

28 A. The assessments charged to utilities under
29 this section are just and reasonable operating
30 costs for rate-making purposes.

31 B. For the purposes of this section, "intrastate
32 gross operating revenues" means intrastate
33 revenues derived from filed rates, except revenues
34 derived from sales for resale.

35 C. Gas utilities subject to the jurisdiction of
36 the commission solely with respect to safety shall
37 not be subject to any assessment ~~until~~ the
38 commission has reviewed the scope and cost of that
39 jurisdiction and an assessment or fee structure is
40 ~~authorized-by-the-Legislature.~~

1 D. The commission may correct any errors in the
2 assessments by means of a credit or debit to the
3 following year's assessment rather than
4 reassessing all utilities in the current year.

5 E. The commission may exempt utilities with
6 annual intrastate gross operating revenues under
7 \$10,000 from assessments under this section.

8 Sec. 5. 35-A MRSA §116, sub-§4, as enacted by
9 PL 1987, c. 141, Pt. A, §6, is amended to read:

10 4. Use of funds. The Public Utilities Commission
11 may use the revenues provided in accordance with this
12 section to fund 43 45 employees and 2 seasonal
13 legal researchers and to defray the costs incurred by
14 the commission pursuant to this Title, including
15 administrative expenses, general regulatory expenses,
16 consulting fees and all other reasonable costs
17 incurred to administer this Title.

18 Sec. 6. 35-A MRSA §504, sub-§3, as enacted by
19 PL 1987, c. 141, Pt. A, §6, is amended to read:

20 3. Extension. The commission may, for good
21 cause, extend the deadline set out in subsection 2 not
22 exceeding one month and may excuse any public utility
23 from filing its returns when the gross revenue of the
24 utility does not exceed \$3,000 \$10,000.

25 Sec. 7. Appropriation. The following funds are
26 appropriated from the General Fund to carry out the
27 purposes of this Act.

	<u>1988-89</u>
28 <u>PUBLIC UTILITIES COMMISSION</u>	
29	
30 Personal Services	\$ 1,400
31 Provides funding for	
32 placing administrative	
33 assistant position in	
34 unclassified service.	

1 All Other (1,400)
2 Deappropriates surplus
3 funds to support
4 declassification.

5
6 Total \$ 0

7 Sec. 8. Allocation of Public Utilities
8 Commission Regulatory Fund. Income not otherwise
9 allocated from the Public Utilities Commission
10 Regulatory Fund is allocated for the fiscal year
11 ending June 30, 1989, and shall be segregated,
12 apportioned and disbursed as designated in the
13 following schedule:

14 1988-89

15 PUBLIC UTILITIES COMMISSION

16 Positions (2)
17 Personal Services \$53,000
18 All Other 15,000
19 Capital Expenditures 2,000

20 Total \$70,000

21 STATEMENT OF FACT

22 The purpose of this bill is to increase the annual
23 Public Utilities Commission Regulatory Fund assessment
24 to provide funds for the operating costs of a new
25 computer system. These costs include software and
26 hardware maintenance and 2 new positions, a systems
27 specialist and a data entry operator. The computer
28 system will provide a complete range of computer
29 functions, including modeling, data processing,
30 information management and communications.
31 Implementation of the computer system will allow the
32 commission to carry out its regulatory and

1 administrative functions more efficiently and
2 effectively.

3 The commission's plan to update its computer
4 system has been reviewed and approved by the Office of
5 Information Services.

6 This bill also exempts utilities with gross
7 revenues under \$10,000 from the annual regulatory fund
8 assessment and from filing annual reports, places the
9 administrative assistant to the administrative
10 director in the unclassified service and makes clear
11 that gas utilities subject to the jurisdiction of the
12 commission solely with respect to safety are not
13 subject to an assessment.

14 This bill will have the following effect on
15 revenues:

16		<u>1988-89</u>
17	General Fund Revenues	
18	Public Utilities Commission	
19	Regulatory Fund	\$70,000
20		4049120187