

# MAINE STATE LEGISLATURE

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(NEW DRAFT OF S.P. 256, L.D. 729)  
(NEW TITLE)  
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

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Legislative Document

No. 2553

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S.P. 962

In Senate, March 21, 1988

Reported by the Majority for the Committee on Utilities and printed under Joint Rule 2. Original Bill sponsored by President PRAY of Penobscot. Cosponsored by: Representative WEYMOUTH of West Gardiner, Senator PERKINS of Hancock, Speaker MARTIN of Eagle Lake.

JOY J. O'BRIEN, Secretary of the Senate

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STATE OF MAINE

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

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**AN ACT Establishing Maine Energy Policy.**

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2

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

5 Sec. 1. 35-A MRSa §3101, sub-§4, as enacted by  
6 PL 1987, c. 141, Pt. A, §6, is amended to read:

7 4. Scope of adjustment. Changes in the cost of  
8 fuel consumed in the electric utility's generating

1 stations and changes in the cost of power purchased by  
2 the electric utility for use in this State constitute  
3 the only items subject to adjustment, pursuant to  
4 rules promulgated by the commission under this  
5 section. Those changes in the cost of purchased power  
6 which are subject to that adjustment shall exclude all  
7 capacity charges, except that, to the extent the  
8 commission determines just and reasonable, capacity  
9 charges for power purchased from small power producers  
10 or cogenerators, as defined in chapter 33, and  
11 capacity charges for Canadian power purchase contracts  
12 which receive a certificate under section 3133 on or  
13 after January 1, 1988, may be included in the  
14 adjustment, provided that capacity charges for small  
15 power producers or cogenerators and from Canadian  
16 power purchase contracts shall be accorded the same  
17 ratemaking treatment in proceedings under this  
18 section. Credits received by the utility for fuel or  
19 the fuel component of either purchased power or power  
20 sold to other utilities, including, but not limited to  
21 credits associated with purchased energy or energy  
22 sold which are received from the savings fund of the  
23 New England Power Exchange shall be considered changes  
24 in the cost of fuel for the purposes of the fuel cost  
25 adjustment, pursuant to rules promulgated by the  
26 commission under this section.

27 Sec. 2. 35-A MRSA c. 31, sub-c. VI is enacted  
28 to read:

29 SUBCHAPTER VI

30 THE MAINE ENERGY POLICY ACT OF 1988

31 §3191. Energy policy

32 The Legislature finds that it is in the best  
33 interests of the State to ensure that Maine and its  
34 electric utilities pursue a least-cost energy plan.  
35 The Legislature further finds that a least-cost energy  
36 plan takes into account many factors including cost,  
37 risk, diversity of supply and all available  
38 alternatives, including purchases of power from  
39 Canadian sources. When the available alternatives are  
40 otherwise equivalent, the commission shall give

