

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1990

Legislative Document

No. 10

H.P. 4

House of Representatives, December 5, 1990

Reference to the Committee on Utilities suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative OLIVER of Portland.

Cosponsored by Speaker MARTIN of Eagle Lake, Representative ADAMS of Portland and Senator DUTREMBLE of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

An Act to Mandate the Continuance of Current Policies on Winter Utility Disconnections.

(EMERGENCY)

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, gas or electric utility service during the severe weather of the winter months is necessary to the health, safety and welfare of Maine residents; and

Whereas, with the realities of the current economic situation, the possibility of termination or disconnection of this service poses a real threat to many utility customers; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 35-A MRSA 704, sub-§1, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

1. Residential customers. The commission shall adopt and promulgate reasonable rules after a hearing concerning the termination or disconnection of any residential customer's service by an electric, gas, water or telephone utility of the State. These rules shall must apply generally to all such utilities within the commission's jurisdiction and shall must provide for adequate written notice by that utility to the residential customer that his the customer's utility bill has not been paid, and a notice of his prospective termination or disconnection and his the customer's right, prior to disconnection, to enter into reasonable installment payment arrangements with that utility; to settle any dispute concerning the proposed disconnection at an informal hearing with that utility and to appeal the results of that utility's decision to the commission. The rules shall must also provide that there may be no termination or disconnection during a limited medical emergency and for a just and reasonable procedure regarding reconnections of utility service and deposit requirements. The rules must provide that there may be no termination or disconnection of electric or gas utility service during the period from November 1st to March 31st unless the specific termination or disconnection is approved by the director of consumer assistance.

Sec. 2. Reconnection. The electric or gas utility service of any residential customer that was terminated or disconnected from September 1, 1989, to the effective date of this Act must be reserved or reconnected at no cost to the customer if the

customer was receiving benefits as of the date of the termination or disconnection under any of the following programs:

1. Aid to Families with Dependent Children;
2. Food stamps;
3. A state-administered fuel assistance program;
4. Supplemental security income; or
5. Medicaid.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

This bill requires, under rules promulgated by the Public Utilities Commission, that residential electric or gas utility service may not be terminated or disconnected from November 1st to March 31st unless the director of consumer assistance of the Public Utilities Commission specifically approves that termination or disconnection. The bill also requires that any such utility service that was terminated from September 1, 1989, to the effective date of the bill must be resumed if the residential customer was receiving certain benefits at the time of termination.