

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 376


H.P. 289

House of Representatives, February 9, 1993

**An Act to Ensure Economic Benefits from Purchases by Generators of Nuclear Power.**

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Reference to the Committee on Utilities suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative HOLT of Bath.  
Cosponsored by Senator CLEVELAND of Androscoggin and  
Representative: COLES of Harpswell, Senator: FOSTER of Hancock.

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

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Sec. 1. 35-A MRSA §3131, sub-§§4-A to 4-C are enacted to read:

4-A. Licensee. "Licensee" means the holder of an operating permit from the United States Nuclear Regulatory Commission for a nuclear power plant.

4-B. Major retrofit. "Major retrofit" means any construction, reconstruction or other activity affecting the physical plant of a nuclear power plant that could significantly impact the ratepayers of this State, as determined by the commission by rule, including the replacement of any major component part of a nuclear power plant, such as a steam generator.

4-C. Nuclear power plant. "Nuclear power plant" means a nuclear fission thermal power plant situated in this State.

Sec. 2. 35-A MRSA §3133-B is enacted to read:

§3133-B. Major retrofit of nuclear power plant prohibited without prior order of the commission

1. Commission approval required for major retrofit of nuclear power plant. A licensee may not undertake a major retrofit of a nuclear power plant unless the commission has issued a certificate of public convenience and necessity approving the major retrofit.

2. Notice of intent to file. The licensee shall file with the commission, no less than 2 months in advance of submitting a petition for a certificate of public convenience and necessity for a proposed major retrofit, a notice of the licensee's intent to file the petition. The notice must inform the commission of the nature of the proposed major retrofit. After receiving the notice, the commission may, by rule or otherwise, require the petitioner to make available such additional information as it determines necessary. Upon request by the licensee, the commission may waive the requirement that at least 2 months advance notice be given. The commission shall rule on the request for waiver within 60 days.

3. Petition for certificate of public convenience and necessity. The petition for a certificate of public convenience and necessity must contain such information as the commission may by rule prescribe.

