

MAINE STATE LEGISLATURE

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UTILITIES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1239, L.D. 1666, Bill, "An Act to Permit Electric Utilities Greater Flexibility in Adjusting Electric Utility Prices to Meet Changing Market Conditions"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 35-A MRSA §3195, sub-§6 is enacted to read:

6. Rate flexibility. Notwithstanding sections 307 and 703, the commission, in an adjudicatory proceeding, may authorize an electric utility to implement a program under which:

A. The utility may change its schedule of rates with limited notice to the commission; and

B. The utility may enter into contracts for the sale of electricity, transmission and distribution services and related management services with limited or no prior express approval by the commission.

The commission shall render its decision in any adjudicatory proceeding held for the purposes of authorizing a utility to implement a program consistent with this subsection within 9 months of the initiation of the proceeding. In the adjudicatory

COMMITTEE AMENDMENT

2 proceeding, the commission shall establish the terms and
3 conditions under which a program is authorized under this
4 subsection. As part of a program adopted under this subsection,
5 the commission may waive the requirements of section 3101. Any
6 program authorized under this subsection must be consistent with
7 section 3191. The authority granted to the commission under this
8 subsection is in addition to the authority of the commission
9 granted under other provisions of this Title and nothing in this
10 subsection may be construed to limit the authority of the
11 commission under any other provision of this Title.

12
13 **FISCAL NOTE**

14
15 The Public Utilities Commission will incur some minor
16 additional costs to adopt rules pertaining to the ability of
17 utilities to adjust rates under certain circumstances and to
18 approve certain utility programs. These costs can be absorbed
19 within the commission's existing budgeted resources.'

20
21 **STATEMENT OF FACT**

22
23 This amendment replaces the bill. Under this amendment, the
24 Public Utilities Commission is authorized to permit an electric
25 utility to implement a program that allows the utility to change
26 its rate schedules with limited notice to the commission and
27 allows the utility to enter into contracts for the sale of
28 electricity, transmission and distribution services and related
29 management services with limited or no prior express approval by
30 the commission. The commission is required to approve these
31 programs in adjudicatory proceedings that may not take longer
32 than 9 months. All programs must be consistent with Maine's
33 energy policy as articulated in the Maine Revised Statutes, Title
34 35-A, section 3191. As part of a program, the commission may
35 waive the so-called fuel clause provisions of state law. This
36 amendment also adds a fiscal note to the bill.