

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 492

S.P. 183

Received by the Secretary, February 7, 1995

**An Act Relating to Authority of Governing Boards of Consumer-owned
Electric Utilities.**

Referred to the Committee on Utilities and Energy and ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator HARRIMAN of Cumberland.
Cosponsored by Representative KONTOS of Windham and
Representatives: BAILEY of Township 27, LIBBY of Kennebunk, REED of Falmouth.

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

4 **Sec. 1. 35-A MRSA §3506** is enacted to read:

6 **§3506. Exercise of powers by consumer-owned electric utilities**

8 **1. Board composition.** If a consumer-owned electric utility is governed by a board composed of at least 3 members, elected by the customers or voters within its service area, that board may exercise the powers of the Public Utilities Commission under this Title and any other provision of law. Upon deciding to exercise those powers the board shall inform the commission. The commission may continue its consideration of any matter before it upon receipt of notice of the decision. One year after making the decision to exercise those powers, a consumer-owned utility may petition the commission to terminate the exercise of powers under this subsection and is authorized to do so by the commission.

20 **2. Termination of board authority.** If 15% of the customers of the consumer-owned electric utility or 1,000 customers, whichever is less, file petitions with the consumer-owned utility and the commission requesting termination of the board's authority to exercise the powers described in subsection 1, the commission may terminate the board's authority if the commission finds that termination is required by those customers. The commission shall notify the electric utility of its decision. The electric utility may challenge the petitions as provided in section 3502, subsection 10.

30 **3. Adoption of rules.** The board of a consumer-owned electric utility may adopt rules of the commission concerning electric utilities or any part of those rules for the board's own terms and conditions of service.

36 **STATEMENT OF FACT**

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40 This bill gives consumer-owned electric utilities with
42 elected boards the option to exercise certain powers of the Public Utilities Commission under the Maine Revised Statutes, Title 35-A.