

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 870

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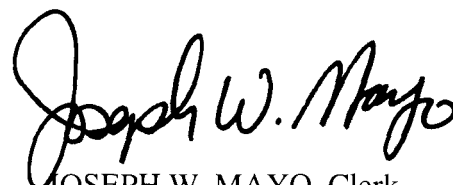
H.P. 647

House of Representatives, March 21, 1995

**An Act to Allow Earlier Awarding of Funding of Intervenors in Cases  
before the Public Utilities Commission.**

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Reference to the Committee on Utilities and Energy suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative HEESCHEN of Wilton.  
Cosponsored by Representatives: ADAMS of Portland, LUTHER of Mexico, MERES of  
Norridgewock, SHIAH of Bowdoinham, TOWNSEND of Portland, TREAT of Gardiner,  
Senator: McCORMICK of Kennebec.

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

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Sec. 1. 35-A MRSA §1310, sub-§1, ¶A, as enacted by PL 1989, c. 281, is amended to read:

A. In any commission proceeding in which standards under the United States Public Utilities Regulatory Policies Act of 1978, United States Code, Title 16, Section 2601, et seq., are implemented, the commission may order the utility to compensate the intervenor for reasonable attorney's fees, expert witness fees and other reasonable costs incurred in preparation and advocacy of the intervenor's position whenever the commission finds that:

(1) The position of the intervenor is not adequately represented by the Office of the Public Advocate or the Public Utilities Commission staff;

(2) ~~The intervenor--substantially--contributed--to--the approval,--in--whole--or--in--part,--of--a--position--advocated by--the--intervenor--in~~ intervenor's participation is likely to contribute substantially to the commission's decision in the proceeding; and

(3) Participation in the proceeding by the intervenor would impose a significant financial hardship on the intervenor.

**STATEMENT OF FACT**

This bill changes the procedures for funding of intervenors in cases in which the federal standards under the United States Public Utilities Regulatory Policies Act of 1978 are implemented. Under the new provision, an intervenor qualifies at the outset of the proceeding based on a determination of whether the intervenor's participation is likely to contribute substantially to the commission's decision in the proceeding.