

MAINE STATE LEGISLATURE

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DATE: April 1, 1997

(Filing No. S- 84)

UTILITIES AND ENERGY

Reported by: Senator Carey

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**STATE OF MAINE
SENATE
118TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 82, L.D. 262, Bill, "An Act to Permit the Public Utilities Commission to Exempt Certain Telephone Utilities from Obtaining Approval to Serve"

Amend the bill in section 1 in subsection 3 in the 2nd line (page 1, line 6 in L.D.) by inserting after the following: "commission" the following: 'by rule'

Further amend the bill in section 1 in subsection 3 in the 7th line (page 1, line 11 in L.D.) by inserting after the following: "areas." the following: 'For good cause, as provided in the rule establishing the exemption, the commission may revoke an exemption in whole or in part, including an exemption granted to a single telephone utility.'

Further amend the bill in section 1 in subsection 3 by inserting at the end the following:

'Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter II-A and must be submitted to the Joint Standing Committee on Utilities and Energy by January 1, 1998.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

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The Public Utilities Commission will incur some minor additional costs to adopt certain rules pertaining to the exemption of certain telephone utilities from approval requirements. These costs will be offset by the minor savings the commission will experience through not having to grant certain approvals to exempted telephone utilities.'

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SUMMARY

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This amendment makes the following substantive changes to the bill.

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1. It requires that any exemption from the provisions of the Maine Revised Statutes, Title 35-A, section 2102 for any telephone utility be adopted by rule. The rules are major substantive rules.

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2. It makes explicit the commission's ability to revoke an exemption in whole or in part. This includes the ability to revoke an exemption for a single telephone utility.

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The amendment also adds a fiscal note.