

MAINE STATE LEGISLATURE

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M
R. 4-29-99

DATE: 4-29-99

(Filing No. H-329)

UTILITIES AND ENERGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 548, L.D. 769, "Resolve, Regarding Legislative Review of Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, a Major Substantive Rule of the Public Utilities Commission"

Amend the resolve by striking out all of section 1 and inserting in its place the following:

'Sec. 1. Adoption with amendment. Resolved: That final adoption of Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, a provisionally adopted major substantive rule of the Public Utilities Commission and submitted to the Legislature for review pursuant to the Maine Administrative Procedure Act, is authorized only if the rule is amended as follows:

- 1. Section 2, paragraph F is deleted;
- 2. Section 3, paragraph I is deleted; and
- 3. A provision is added that clarifies that nothing in the rule prevents a distribution utility from entering into a special contract offering a special rate to a customer or group of customers pursuant to a rate flexibility program approved by the Public Utilities Commission under the Maine Revised Statutes, Title 35-A, section 3195, subsection 6.

The Public Utilities Commission is not required to hold hearings or conduct other formal proceedings prior to finally adopting the rule in accordance with this resolve.'

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

COMMITTEE AMENDMENT

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FISCAL NOTE

The Public Utilities Commission will incur some minor additional costs related to auditing and enforcement of certain standards of conduct. These costs can be absorbed within the commission's existing budgeted resources.'

SUMMARY

This amendment authorizes the Public Utilities Commission to finally adopt its rule, Chapter 304: Standard of Conduct for Transmission and Distribution Utilities and Affiliated Competitive Electricity Providers, provided it:

1. Modifies the rule to remove references to the release of customer proprietary information; this issue is the subject of other legislation; and

2. Modifies the rule to clarify that nothing in the rule prevents a distribution utility from entering into a special contract offering a special rate to a customer or group of customers pursuant to a rate flexibility program approved by the Public Utilities Commission under the Maine Revised Statutes, Title 35-A, section 3195, subsection 6.

The amendment also adds a fiscal note to the resolve.