MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-1999

Legislative Document

No. 2282

S.P. 874

In Senate, December 9, 1999

An Act to Clarify the Treatment of Certain Small Consumer-owned Transmission and Distribution Utilities.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 9, 1999. Referred to the Committee on Utilities and Energy and ordered printed pursuant to Joint Rule 308.2

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator PINGREE of Knox. Cosponsored by Representative VOLENIK of Brooklin.

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

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Sec. 1. 35-A MRSA §3504, sub-§1, as amended by PL 1999, c. 398, Pt. A, §88 and affected by §§104 and 105, is further amended to read:

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1. Exemption. Upon request of a consumer-owned transmission and distribution utility of not more than 150 customers, the commission may shall exempt the utility from any of the requirements of any commission rules and this Title, with the exception of sections 3502 and 3503.

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14 SUMMARY

16 Under current law, the Public Utilities Commission is authorized to exempt certain small consumer-owned transmission 18 and distribution utilities from all but 2 of the provisions of the Maine Revised Statutes, Title 35-A. In its Order dated July 29, 1999 in Docket Nos. 98-599 and 98-671, the Public Utilities 20 Commission declined to issue such an exemption requested by the 22 Isle au Haut Electric Power Company ("IAH"), stating that "[t]o the extent that IAH believes that it should be totally deregulated, the appropriate forum for such action is the Maine 24 Legislature." This bill removes the commission's discretion and 26 instead directs the commission, if requested by the utility, to consumer-owned exempt small transmission and distribution 28 utilities from those provisions of Title 35-A.