



119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

No. 2411

H.P. 1705

House of Representatives, January 10, 2000

An Act to Allow Certain Public Utilities to Extend Their Service into Areas Serviced by Other Public Utilities.

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

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

JOSEPH W. MAYO, Clerk

Presented by Representative MURPHY of Kennebunk. Cosponsored by Senator LaFOUNTAIN of York and Representative RICHARD of Madison, Senator: LIBBY of York.

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

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Sec. 1. 35-A MRSA §2102, sub-§1, as enacted by PL 1987, c. 4 141, Pt. A, §6, is amended to read:

- 6 1. Approval required. Except as provided in subsection 2 and in section 4507, ne a public utility may not furnish any of the services set out in section 2101 in or to any municipality in 8 or to which another public utility is furnishing or is authorized 10 to furnish a similar service without the approval of the commission. A public utility authorized by private and special law to furnish service in a municipality or portion of a 12 municipality does not require approval of the commission to 14 extend its service to the authorized area in or to which another public utility is furnishing or is authorized to furnish service if the utility proposing to extend its service obtained its 16 legislative authority to serve that area before the date on which 18 the other public utility was first authorized to serve that area.
- 20 Sec. 2. 35-A MRSA §2102, sub-§2, as amended by PL 1999, c. 398, Pt. A, §30 and affected by §§104 and 105, is further amended to read:
- 24 2. Approval not required. Except as provided in section 2104, the commission's approval is not required for a public utility to furnish service in any municipality in which that 26 public utility is furnishing service on October 8, 1967. <u>If</u>a 28 public utility was serving a portion of a municipality on October 8, 1967, the commission's approval is not required for the public utility to extend its service to other portions of the 30 municipality for which it has legislative authority to serve. 32 Approval is not required for the operation of a radio paging Approval is not service or mobile telecommunications services. 34 required for а transmission and distribution utility to distribute electricity to any other transmission and distribution 36 utility.

This bill clarifies the authority of a public utility created by private and special law to extend utility service 42 within the geographic area authorized by the private and special law without the need to obtain approval from the Public Utilities 44 Commission if that utility obtained its legislative authority to 46 serve the area in question prior to the date another public utility was first authorized to serve the area in question. The bill further provides that, if a utility was serving a portion of 48 a municipality on October 8, 1967, the commission's approval is 50 not required for the utility to extend service to other portions of the municipality for which it has legislative authority to 52 serve.

SUMMARY

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