

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

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STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 190, L.D. 662, Bill, "An Act to Remove Barriers to Providing Natural Gas Services"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 35-A MRSA §2104, as amended by PL 1997, c. 707, §3, is repealed and the following enacted in its place:

§2104. Commission approval for gas companies to furnish service

1. Approval of commission required; generally. Except as provided in subsection 2, a gas utility may not furnish its service in or to any municipality within the State without the approval of the commission.

2. Approval not required; no other utility serving. Notwithstanding section 2102 or 2105, a gas utility authorized to furnish service and serving customers within the State is not required to obtain the approval of the commission to serve in any municipality in which no other gas utility is furnishing similar service unless the commission, in an order issued pursuant to subsection 3, specifically provides otherwise.

3. Limited grant of authority. The commission, in an order granting authorization to a person to operate, manage or control a gas utility in any municipality in this State, may expressly limit the area in which the gas utility may provide service without further approval of the commission only if:

A. The commission finds that the financial and technical capacity of the gas utility is limited in a manner that

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2 public convenience and necessity require such limited
3 authorization; or

4 B. The person seeking authorization requests that the
5 authorization be limited to a particular area.'

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SUMMARY

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11 This amendment replaces the bill with new language to
12 achieve the intent of the bill. This amendment provides that:

14 1. A gas utility that has received Public Utilities
15 Commission approval to serve somewhere in the State is not
16 required to seek further approval from the commission to serve
17 elsewhere in the State except in towns in which another gas
18 utility is actually providing similar service; and

20 2. The commission may by order limit a gas utility to a
21 certain area of the State.

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