

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 808

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S.P. 240

In Senate, February 15, 2001

**An Act to Amend the Laws Governing the Service Territory of  
Kennebunk Light and Power District.**

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator LaFOUNTAIN of York.  
Cosponsored by Representative MURPHY of Kennebunk and  
Senators: KILKELLY of Lincoln, LEMONT of York, Representatives: BERRY of Belmont,  
HALL of Bristol, McGLOCKLIN of Embden, SCHNEIDER of Durham, SULLIVAN of  
Biddeford.

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

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4           **Sec. 1. P&SL 1951, c. 53, §3** is amended to read:

6           **Sec. 3. Territorial limits.** The territorial limits within which  
8           said district may sell, distribute and furnish electricity at  
10           retail for light, heat and power to individuals, partnerships,  
12           firms and corporations ~~shall be as set forth in section 3 of the~~  
14           ~~private and special laws of 1903, except that~~ are the entire  
16           territory of the Town of Kennebunk, and, notwithstanding any  
18           provision of section 19 or of the Maine Revised Statutes, Title  
20           35-A and without the need for any other authorization, the  
22           district may extend its poles, lines and facilities and provide  
24           service throughout the Town of Kennebunk; and said district may,  
26           ~~as authorized by section 4 of said act,~~ purchase or lease the  
28           rights, privileges, properties and franchises of any corporation  
30           furnishing electricity within the territory of said town; and  
32           such corporation may sell, transfer, convey or lease its rights,  
          privileges, properties and franchises to the district; and except  
          that the territorial limits of the Kennebunk Light and Power  
          District shall include so much of the towns of Lyman, Wells and  
          Arundel, formerly known as North Kennebunkport, as are now served  
          by the Kennebunk Light Department, and Power District and may  
          include areas contiguous to those areas now served by said  
          Kennebunk Light Department and Power District in the towns of  
          Kennebunk, Lyman, Wells and Arundel, formerly known as North  
          Kennebunkport, in which at the time no other public utility is  
          furnishing electric service, ~~if and when the Kennebunk Light and~~  
          ~~Power District shall have received the consent of the public~~  
          ~~utilities commission in accordance with the provisions of~~  
          ~~sections 3 and 4 of chapter 46 of the revised statutes of 1944~~  
          ~~and all acts amendatory thereof or additional thereto.~~

34           **Sec. 2. P&SL 1951, c. 53, §3-A** is enacted to read:

36           **Sec. 3-A. Means of financing.** If Kennebunk Light and Power  
38           District is required, as the result of a negotiated agreement or  
40           a final order and decision of a tribunal of competent  
42           jurisdiction, to compensate a corporation furnishing electricity  
44           within the territory of the Town of Kennebunk by reason of the  
46           district having extended its poles, lines, facilities and service  
          as authorized by section 3, the district may fund this  
          compensation by a special rate surcharge applicable to and  
          payable by those retail customers located within the area into  
          which the district has extended its poles, lines, facilities and  
          service who requested the extension of such service by the  
          district.

## SUMMARY

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4       This bill amends the laws governing the service territory of  
Kennebunk Light and Power District to include the entire Town of  
6       Kennebunk and overrides those provisions of the Maine Revised  
Statutes, Title 35-A that may be read to require the permission  
8       of the Public Utilities Commission for the extension of the  
district's service either by purchase of existing facilities or  
by construction of new facilities to portions of the Town of  
10      Kennebunk that it does not presently serve. The bill authorizes  
the district to fund the cost of a lease or purchase of tangible  
12      assets through the use of a rate surcharge to be paid by its  
retail customers in the subject area.