

# 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. 263, L.D. 910, Bill, "An Act to Provide Opportunity for Affordable House Lot Development"

Amend the bill by striking out the title and substituting the following:

**'An Act Concerning Private Line Extensions'**

Further 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 §314 is enacted to read:**

**§314. Private line extensions**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

**A. "Line" means an electric distribution line, including poles and other related structures.**

**2. Standards for private lines.** The commission shall by rule establish standards for the construction of a line by a person other than a transmission and distribution utility. The rules:

2 A. Must establish standards for the construction of lines.  
3 The commission may establish different standards in  
4 different transmission and distribution utility  
5 territories. The standards must be the same as the  
6 standards that would apply if the transmission and  
7 distribution utility in whose territory the line is  
8 constructed built the line unless there are compelling  
9 public safety reasons for applying different standards. If  
10 these standards and any other reasonable conditions  
11 established by the commission are met, a transmission and  
12 distribution utility may not refuse to connect the line to  
13 the utility's system or to deliver energy over the line;

14 B. Must establish terms and conditions for transferring the  
15 ownership of a line to a transmission and distribution  
16 utility. The rules may establish a requirement that certain  
17 types of lines, lines under certain conditions, or lines in  
18 certain locations, such as lines located in the public way,  
19 must be transferred to the transmission and distribution  
20 utility; and

21 C. May require that a person that is not a transmission and  
22 distribution utility that constructs a line meet minimum  
23 qualifications established or approved by the commission.

24  
25 3. Apportionment of costs of line extensions. The  
26 commission shall adopt rules establishing requirements for  
27 apportioning the costs of a single-phase overhead line extension  
28 among persons who take service through the line after the  
29 construction of the line. The commission may provide for  
30 exemptions from the apportionment methodology established by the  
31 commission for any transmission and distribution utility that  
32 petitions the commission for an exemption and establishes to the  
33 satisfaction of the commission that the transmission and  
34 distribution utility's apportionment methodology adequately  
35 serves the public interest and balances competing interests of  
36 customers.

37  
38 4. Lines constructed in the public way. Nothing in this  
39 section or rules adopted under this section limits the  
40 application of section 2305 to any line constructed in a public  
41 way.

42  
43 5. Submission of rules. Rules adopted pursuant to this  
44 section are major substantive rules as defined in Title 5,  
45 chapter 375, subchapter II-A and must be submitted to the  
46 Legislature for review no later than February 1, 2002.

47  
48  
49 **Sec. 2. Public Utilities Commission examination of minimum**  
50 **qualifications of line constructors. The Public Utilities**

COMMITTEE AMENDMENT "A" to S.P. 263, L.D. 910

2 Commission shall examine whether minimum qualifications should be  
3 established for persons who construct private line extensions and  
4 if so, how the qualifications should be established and what  
5 mechanisms are most appropriate for ensuring the qualifications  
6 are met. The commission shall, with any rules submitted to the  
7 Legislature pursuant to the Maine Revised Statutes, Title 35-A,  
8 section 314, submit a report to the Joint Standing Committee on  
9 Utilities and Energy on the commission's findings and  
10 recommendations under this section.'

11 Further amend the bill by inserting at the end before the  
12 summary the following:

14 **FISCAL NOTE**

16 The Public Utilities Commission will incur some minor  
17 additional costs to adopt major substantive rules governing line  
18 extensions and to submit the required report. These costs can be  
19 absorbed within the commission's existing budgeted resources.'

22 **SUMMARY**

24 This amendment is the majority report of the Joint Standing  
25 Committee on Utilities and Energy. The amendment replaces the  
26 bill and alters the title to more accurately reflect the content  
27 of the bill as amended. This amendment directs the Public  
28 Utilities Commission to adopt rules governing line extensions.  
29 The rules must establish standards for construction of private  
30 line extensions, terms and conditions for the transference of  
31 private lines to transmission and distribution utilities and  
32 requirements for apportioning among users the costs of  
33 single-phase overhead line extensions. The commission is also  
34 directed to examine issues related to establishing minimum  
35 qualifications for persons who construct private line extensions.

38 The amendment also adds a fiscal note to the bill.