

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1121

H.P. 849

House of Representatives, February 22, 2001

An Act to Allow Flexibility in Regulation of Telephone Utilities.

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.
Reference to the Committee on Utilities and Energy suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative SAVAGE of Buxton.

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

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Sec. 1. 35-A MRSA §307-A, as enacted by PL 1997, c. 276, §1 and affected by §4, is repealed.

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Sec. 2. 35-A MRSA §912, as enacted by PL 1997, c. 276, §2 and affected by §4, is repealed.

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Sec. 3. 35-A MRSA §1105, as enacted by PL 1997, c. 276, §3 and affected by §4, is repealed.

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Sec. 4. 35-A MRSA §7108 is enacted to read:

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§7108. Exemption for certain telephone utilities

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1. Exemption. The commission may adopt by rule standards and procedures for granting exemptions to a telephone utility or a specified group of telephone utilities from all or specified portions of this Title. Any exemption granted pursuant to the rule must be accompanied by a finding that the exemption will not unduly diminish safety, customer protection or the public interest. A utility granted an exemption pursuant to a rule adopted under this section remains subject to other applicable provisions of this Title and to commission rules.

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For good cause, as defined by the commission by rule, the commission may revoke any exemption granted pursuant to this section. A revocation may be in whole or in part and may be specific to a single telephone utility or a single utility service.

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Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

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2. Report. On December 31st of each calendar year, the commission shall submit to the joint standing committee of the Legislature having jurisdiction over utility matters a report describing the commission's activities in carrying out the requirements of this section.

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SUMMARY

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This bill grants the Public Utilities Commission the ability to exempt a telephone utility or a group of telephone utilities from any provision of the Maine Revised Statutes, Title 35-A and requires that the commission find that granting the exemption will adequately maintain standards of safety, customer protection and the public interest. The commission shall adopt standards and procedures for granting exemptions by rule and shall inform the joint standing committee of the Legislature having jurisdiction over utility matters of its activities.