

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1385

H.P. 1028

House of Representatives, March 5, 2001

**An Act to Amend the Laws Regarding When the Public Utilities
Commission Must Give Notice of its Proceedings.**

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.

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

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Sec. 1. 35-A MRSA §108-A, 2nd ¶, as enacted by PL 1993, c. 36,
4 §2, is amended to read;

6 Notwithstanding Title 1, section 406, the commission is
8 required to give notice of public proceedings only if the
10 commission will deal with the expenditure of public funds or if
12 the commission will make any of the following decisions in
14 proceedings before it: a decision to initiate rulemaking or to
16 adopt or modify a rule pursuant to Title 5, chapter 375,
18 subchapter II; a decision making an advisory ruling pursuant to
20 Title 5, chapter 375, subchapter III; a decision to commence an
22 adjudicatory proceeding, an interim decision in an adjudicatory
24 proceeding that will affect the substantive or procedural rights
26 of any party, or a final decision at the conclusion of an
adjudicatory proceeding, all pursuant to Title 5, chapter 375,
subchapter IV; or a decision in any other proceeding pursuant to
this Title or the commission's rules that requires commission
approval or decision. ~~In--addition,--if--the--commission--is
participating--as--a--party--in--a--proceeding--before--a--federal--agency
and--the--commission--will--adopt--a--position--in--that--federal
proceeding,--the--commission--shall--give--to--other--parties--from--the
State--who--are--participating--in--the--federal--proceeding--notice--of
the--public--proceeding--at--which--the--commission--may--adopt--that
position.~~

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SUMMARY

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32 This bill removes the requirement that the Public Utilities
34 Commission give notice of the public proceeding at which the
commission may adopt a position it will take in a federal
proceeding.