

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 1838

H.P. 1399

House of Representatives, December 3, 2001

An Act to Eliminate Unnecessary Filing Requirements for Water Utilities.

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

Received by the Clerk of the House on November 29, 2001. Referred to the Committee on Utilities and Energy pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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:

2
3 **Sec. 1. 35-A MRSA §6102, sub-§1**, as repealed and replaced by
4 PL 1991, c. 52, §1, is amended to read:

6 **1. General requirements.** Any water utility, before
7 commencing construction of a new water system or a major addition
8 to or alteration of an existing water system, shall file with the
9 commission, in accordance with the commission's rules, plans and
10 specifications for the construction, addition or alteration in
11 order to obtain the advice of the commission as to cost, method
12 of financing and adherence to proper engineering standards. If
13 the water utility will incur expenses in the construction,
14 addition or alteration that are likely to result in increases in
15 rates, tolls or charges totaling more than 50% of the utility's
16 annual operating revenues, the utility shall publish in a
17 newspaper of general circulation in the service territory of the
18 water utility a notice to customers that information regarding
19 the construction, addition or alteration is available for public
20 review at a location and in a manner that is convenient to the
21 water utility's ratepayers and provide to each of the water
22 utility's customers a direct written notice of the availability
23 of that information.

24
25 **Sec. 2. 35-A MRSA §6102, sub-§2**, as amended by PL 1993, c. 91,
26 §9, is repealed.

28
29 **SUMMARY**

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31 This bill removes the requirement that, in addition to
32 filing plans for the construction of a water system, a water
33 utility must file with the Public Utilities Commission and with
34 the Department of Human Services engineering estimates, all costs
35 and justification of the construction project and of its next
36 best alternative. The bill removes the redundant requirement to
37 make the information available for public review but retains the
38 requirement that the public be notified if expenses exceed a
specified level.