

MAINE STATE LEGISLATURE

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2003

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Date:

4/11/07

L.D. 765

(Filing No. H- 79)

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UTILITIES AND ENERGY

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

7

123RD LEGISLATURE

8

FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 586, L.D. 765, "Resolve, Regarding
Legislative Review of Portions of ConnectME Authority, Chapter 101, a Major
Substantive Rule of the Governor's Office"

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Amend the resolve in section 1 in the last line (page 1, line 17 in L.D.) by striking out
the following: "authorized." and inserting the following: 'authorized only if the
following changes are made:'

15

Amend the resolve in section 1 by inserting at the end the following:

16

1. Definition of broadband service provider. That portion of the rule designated
Section 2, subsection D must be amended to provide that the definition of broadband
service provider does not include a provider of commercial mobile service as defined
under 47 United States Code, Section 332(d);

20

2. Mapping requirement. That portion of the rule designated Section 3, subsection
B must be amended to provide that a mobile communications service provider that is
contributing to the ConnectME Fund is required to file with the ConnectME Authority
the coverage maps and service description information designated in Section 3,
subsection B, paragraphs 1, 2 and 3 of the rule, but a mobile communications service
provider that is not contributing to the ConnectME Fund is not required to file that
information; and

27

3. Application process. That portion of the rule designated Section 6, subsection D
must be replaced to provide that, within 90 days of the effective date of the rule, the
ConnectME Authority is required to establish an application process that, at a minimum,
includes the following provisions:

31

A. An application that, at a minimum, includes description of the area proposed to be
served by the project and sufficient information to establish that it is an unserved or

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1 underserved area; a description of the proposed project, including public-private
2 partnerships that have been established, evidence that the private partner in the
3 project is eligible to receive funding from the authority, the type of service to be
4 provided and, in the case of broadband service, the upstream and downstream speeds
5 of the service to be provided, an estimate of the time required to complete the
6 proposed project, the percentage distribution of households and businesses within the
7 area to be served by the project and the estimated price per customer of the service to
8 be provided by the proposed project; the total amount of funding requested from the
9 authority; the applicant's financial commitment to the project in addition to the
10 funding requested from the authority; the estimated number of customers who will
11 directly benefit from the project who are currently unserved or underserved; and
12 evidence of community support for the proposed project, which may include letters or
13 signatures of residents or businesses located within the area of the proposed project;
14 and

15 B. An application evaluation process that provides that the authority concurrently
16 evaluate all applications submitted during a particular application period that has
17 been set by the authority; that the scoring of applications is based on a 100-point
18 scale with the following 4 scoring categories: cost-benefit, community support,
19 project scope and project value; that the cost-benefit category is worth at least 33
20 points; that a project with a total score of less than 50 points may not be funded; that
21 a project that serves an underserved area may only be funded if funds are available
22 after all eligible applications for projects to serve unserved areas have been funded;
23 that the cost-benefit scoring is based on relevant factors, including, but not limited to,
24 the amount of funding requested from the authority per customer eligible to be served
25 by the project, with lower funding per customer receiving a higher cost-benefit score;
26 that the community support score is based on relevant factors, including, but not
27 limited to, evidence of community support for the project and the percentage of a
28 municipality that will be served by the proposed project; that the score for the project
29 scope is based on relevant factors, including, but not limited to, the number of
30 customers to be served by the project, the type and, when relevant, the speed of
31 service to be offered by the project and the applicant's financial commitment to the
32 project; and that the score for project value is based on relevant factors, including, but
33 not limited to, the estimated price per customer to receive service from the proposed
34 project and any other details of the project that may benefit customers in the area
35 proposed to be served by the proposed project.'

36 SUMMARY

37 This amendment authorizes final adoption of ConnectME Authority, Chapter 101, a
38 provisionally adopted major substantive rule of the Governor's Office, as long as certain
39 changes to the rule are made to clarify the definition of broadband service provider, to
40 limit the requirement imposed on mobile communications service providers to file
41 mapping and service description information to those mobile communications service
42 providers contributing to the ConnectME Fund and to amend the section of the rule
43 regarding applications for funding from the ConnectME Authority to specify
44 requirements for the content of the application and the application evaluation process to
45 be used by the authority.

R. of S.

COMMITTEE AMENDMENT "A" to H.P. 586, L.D. 765

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FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



Approved: 04/04/07 *mac*

123rd MAINE LEGISLATURE

LD 765

LR 2502(02)

Resolve, Regarding Legislative Review of Portions of ConnectME Authority, Chapter 101, a Major Substantive Rule of the Governor's Office

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Utilities and Energy

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs associated with this legislation can be absorbed by the Governor's Office within the Executive Department utilizing existing budgeted resources.