

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1191

H.P. 882

House of Representatives, March 21, 2011

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**An Act To Encourage Business Development by Limiting the Time a  
Utility May Hold a Business Customer's Deposit**

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Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative MacDONALD of Boothbay.  
Cosponsored by Senator BARTLETT of Cumberland and  
Representatives: BEAVERS of South Berwick, BOLDUC of Auburn, DILL of Old Town,  
KRUGER of Thomaston, KUMIEGA of Deer Isle, PEOPLES of Westbrook, RUSSELL of  
Portland, TREAT of Hallowell.

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

2 **Sec. 1. 35-A MRSA §705, sub-§2**, as enacted by PL 1987, c. 141, Pt. A, §6, is  
3 amended to read:

4 **2. Nonresidential customers.** Every public utility shall file with the commission  
5 schedules containing its terms and conditions for requiring a deposit from nonresidential  
6 customers, which terms and conditions shall be subject to the commission's power under  
7 this Title. Every public utility shall comply with its terms and conditions. A public  
8 utility may hold a deposit from a nonresidential customer for no longer than one year,  
9 after which time the deposit must be returned to the customer. The commission shall  
10 adopt rules ~~which~~ that provide a procedure for resolution by the commission or its  
11 delegate of disputes as to whether a deposit being required by a public utility is in  
12 compliance with its terms and conditions. If the rules authorize a delegate to resolve  
13 disputes, the rules ~~shall~~ must include a procedure for appeal of the decision to the  
14 commission.

15 **SUMMARY**

16 This bill provides that a public utility may hold a deposit from a nonresidential  
17 customer for no longer than one year, after which time the deposit must be returned to the  
18 customer.