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1	L.D. 1342
2	Date: 6/5/13 (Filing No. H-352)
3	ENERGY, UTILITIES AND TECHNOLOGY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	126TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10	COMMITTEE AMENDMENT "A" to H.P. 959, L.D. 1342, Bill, "An Act To Ensure Just and Reasonable Sewer Utility Rates"
11	Amend the bill by striking out the title and substituting the following:
12 13	'An Act To Authorize the Public Advocate To Mediate Disputes Related to Rates for Sewer Service'
14 15	Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:
16	'Sec. 1. 35-A MRSA §1714 is enacted to read:
17	§1714. Sewer rate mediation services
18 19 20 21 22	Notwithstanding section 1710, the Public Advocate may provide mediation services for disputes regarding rate changes between a sewer district as defined in Title 38, section 1251 and its customers. The Public Advocate may charge reasonable fees for these services. Any fee must be charged evenly between a sewer district and its customers participating in a mediation.
23 24	Sec. 2. 38 MRSA §1252, sub-§1, as enacted by PL 1981, c. 466, §13, is amended to read:
25 26 27 28 29 30 31 32 33 34	1. Adoption of new rates. Prior to the adoption of a new rate schedule, the trustees shall hold a public hearing regarding the proposed rate schedule. The trustees shall publish the proposed rates and notice of the hearing not less than once in a newspaper having a general circulation in the district not less than 7 days prior to the hearing. The district shall mail to each ratepayer a notice of the public hearing and the proposed new rate at least 14 days prior to the hearing. The notice must include a statement describing the amount of the rate change, the percentage change for each customer class and the customer's right to request information relating to the present and proposed rates. The sewer district shall maintain adequate records to provide justification for the proposed rate and any rate set by the sewer district.

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# **COMMITTEE AMENDMENT**

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COMMITTEE AMENDMENT "H" to H.P. 959, L.D. 1342

Sec. 3. 38 MRSA §1259 is enacted to read:

### <u>§1259. Mediation services</u>

If, within 30 days of the public hearing for a rate change under section 1252, subsection 1, 15% of the customers of a sewer district or 1,000 customers, whichever is less, file with the treasurer of the district and with the Public Advocate a petition requesting mediation services regarding the proposed rate, the sewer district and the customers, upon agreement of both parties, may request mediation services from the Public Advocate under Title 35-A, section 1714.'

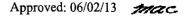
### SUMMARY

10 This amendment replaces the bill. It authorizes the Public Advocate to mediate 11 between a sewer district and its customers with respect to a proposed rate change if 15% 12 of the customers or 1,000 customers, whichever is less, petition the Public Advocate to 13 mediate.

#### FISCAL NOTE REQUIRED (See Attached)

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# **COMMITTEE AMENDMENT**





# **126th MAINE LEGISLATURE**

LD 1342

## LR 1744(02)

An Act To Ensure Just and Reasonable Sewer Utility Rates

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H - 352) Committee: Energy, Utilities and Technology Fiscal Note Required: Yes

# **Fiscal Note**

Potential current biennium cost increase - Other Special Revenue Funds Potential current biennium revenue increase - Other Special Revenue Funds

### **Fiscal Detail and Notes**

The Office of the Public Advocate (OPA) is given the authority to mediate disputes between a sewer district and its customers regarding sewer rate increases. The bill allows the OPA to charge a reasonable fee as compensation for the services rendered. The amount of any cost or revenue increase cannot be determined at this time.