

# MAINE STATE LEGISLATURE

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5/1/17  
R. O. G.

Date: 5/1/17

**ENERGY, UTILITIES AND TECHNOLOGY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 534, L.D. 754, Bill, "An Act To Repeal or Clean Up Outdated Telecommunications Statutes"

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 35-A MRSA §303, as amended by PL 1987, c. 613, §2, is further amended to read:

**§303. Valuation of property for fixing rates**

In determining just and reasonable rates, tolls and charges, the commission shall fix a reasonable value upon all the property of a public utility and upon an electric plant to the extent paid for by the utility on the premises of any of its customers, ~~which~~ that is used or required to be used in its service to the public within the State and a fair return on that property. In fixing a reasonable value, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use and the prudent acquisition cost to the utility, less depreciation on each, and any other material and relevant factors or evidence, but the other factors shall may not include current value. In making a valuation, the commission may consult reports, records or other information available to it in the office of any state office or board.

This section does not apply to a price cap ILEC as defined in section 7102, subsection 6-A.'

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 35-A MRSA §7101-B, sub-§4 is enacted to read:

4. Access rates. The commission shall ensure that intrastate access rates are just and reasonable and consistent with federal law. The commission may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

Amend the bill by inserting after section 5 the following:

**COMMITTEE AMENDMENT**

R. O. S.

1 'Sec. 6. 35-A MRSA §7306, as enacted by PL 1991, c. 318, §1, is repealed.'

2 Amend the bill by adding after section 7 the following:

3 'Sec. 8. 35-A MRSA §7501-B, as enacted by PL 2011, c. 623, Pt. A, §21, is  
4 amended to read:

5 **§7501-B. Directories**

6 A telephone utility is not required to publish a hard-copy telephone directory. ~~A~~ If a  
7 provider of provider of last resort service discontinues publishing a hard-copy directory,  
8 it shall annually offer its provider of last resort service customers the option to receive a  
9 telephone directory in an electronic format or in the form of a printout of the electronic  
10 database showing the names, addresses and telephone numbers of persons and businesses,  
11 other than of those who have requested unlisted numbers. The service provider shall  
12 annually provide notice to each of its provider of last resort service customers of this  
13 option.'

14 Amend the bill by relettering or renumbering any nonconsecutive Part letter or  
15 section number to read consecutively.

16 **SUMMARY**

17 This amendment retains the provisions of the bill and does the following:

- 18 1. It specifies that the valuation of property for fixing rates does not apply to price
- 19 cap incumbent local exchange carriers, as those rates are set in the Maine Revised
- 20 Statutes, Title 35-A;
- 21 2. It changes language in the bill as it relates to access rates;
- 22 3. It repeals the provision of law related to customer premise wire; and
- 23 4. It limits a requirement in current law for provider of last resort service providers
- 24 to offer telephone directories in an electronic format or as a printout of an electronic
- 25 database to apply only to those provider of last resort service providers that discontinue
- 26 publishing a hard-copy directory.

27 **FISCAL NOTE REQUIRED**

28 (See attached)



# 128th MAINE LEGISLATURE

LD 754

LR 655(02)

**An Act To Repeal or Clean Up Outdated Telecommunications Statutes**

**Fiscal Note for Bill as Amended by Committee Amendment *A (H-95)***  
**Committee: Energy, Utilities and Technology**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Additional costs to the Public Utilities Commission associated with revisions to the telecommunications statutes are anticipated to be minor and can be absorbed within existing budgeted resources.