

MAINE STATE LEGISLATURE

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SMU
R.O.P.S

Date: 6/20/2018

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STATE OF MAINE
SENATE
128TH LEGISLATURE
SECOND SPECIAL SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 628, L.D. 1729, Bill, "An Act Regarding Compensation by Large Transmission and Distribution Utilities"

Amend the amendment by inserting after the substitute title the following:

'Amend the bill by inserting after the title the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation needs to take effect before the expiration of the 90-day period in order to restore confidence in utility billing systems as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,''

Amend the amendment in section 1 in subsection 3 in the 4th line (page 1, line 20 in amendment) by striking out the following: "ratepayers and" and inserting the following: 'ratepayers or'

Amend the amendment by inserting after section 2 the following:

'Sec. 3. Report on cost of management audit. The Public Utilities Commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by January 15, 2019 on whether the commission has exercised the authority granted to it in the Maine Revised Statutes, Title 35-A, section 113, subsection 3 to allocate the cost of a management audit to ratepayers or shareholders of an investor-owned public utility. The joint standing committee of the Legislature having jurisdiction over energy and utilities matters may report out a bill to the First Regular Session of the 129th Legislature that amends Title 35-A, section 113, subsection 3.'

Amend the amendment by inserting after section 5 the following:

P.O.P.S

1 **'Sec. 6. Application.** Notwithstanding the Maine Revised Statutes, Title 1, section
2 302, that section of this Act that amends Title 35-A, section 113, subsection 3 applies to a
3 management audit concluded at any time after the effective date of this Act.

4 **Emergency clause.** In view of the emergency cited in the preamble, this
5 legislation takes effect when approved.'

6 Amend the amendment by relettering or renumbering any nonconsecutive Part letter
7 or section number to read consecutively.

8 **SUMMARY**

9 This amendment makes the following changes to Committee Amendment "A."

- 10 1. It adds an emergency preamble and emergency clause.
- 11 2. It clarifies that the costs of the management audit may be allocated to ratepayers
12 or shareholders.
- 13 3. It requires the Public Utilities Commission to submit a report to the joint standing
14 committee of the Legislature having jurisdiction over energy and utilities matters by
15 January 15, 2019 on whether the commission has exercised the authority granted to it to
16 allocate the cost of a management audit to ratepayers or shareholders of an investor-
17 owned public utility. The joint standing committee of the Legislature having jurisdiction
18 over energy and utilities matters may report out a bill to the First Regular Session of the
19 129th Legislature that amends the provision of law governing the cost of a management
20 audit.
- 21 4. It provides that the provision of law that authorizes the Public Utilities
22 Commission to allocate the cost of a management audit to ratepayers or shareholders of
23 an investor-owned public utility applies to a management audit concluded at any time
24 after the effective date of the legislation.

25 **FISCAL NOTE REQUIRED**

26 **(See attached)**

27 SPONSORED BY: Lori Keim

28 (Senator KEIM)

29 COUNTY: Oxford



128th MAINE LEGISLATURE

LD 1729

LR 2706(07)

An Act Regarding Compensation by Large Transmission and Distribution Utilities

Fiscal Note for Senate Amendment "A" to Committee Amendment "A"

Sponsor: Sen. Keim of Oxford

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

This amendment adds an emergency preamble and clause, clarifies that the costs of a management audit may be allocated to ratepayers or shareholders of an investor-owned utility and requires the Public Utilities Commission (PUC) to report back on whether the PUC has exercised its authority to allocate the cost of a management audit to ratepayers and shareholders of an investor-owned public utility. Any additional costs to the PUC as a result of reporting requirements are anticipated to be minor and can be absorbed within existing budgeted resources.