

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 807

S.P. 243

In Senate, February 14, 2019

An Act Regarding the Duties of the Public Advocate

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative NADEAU of Winslow and
Senators: BELLOWS of Kennebec, CYRWAY of Kennebec, President JACKSON of
Aroostook, LIBBY of Androscoggin, Representatives: BRYANT of Windham, MAREAN of
Hollis, TALBOT ROSS of Portland, TIPPING of Orono.

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

2 **Sec. 1. 35-A MRSA §1702, sub-§5**, as amended by PL 1999, c. 398, Pt. A, §26
3 and affected by §§104 and 105, is further amended to read:

4 **5. Intervention on behalf of public.** The Public Advocate may, on behalf of the
5 using and consuming public, or any particular group of consumers, petition to initiate, or
6 intervene and appear in, any proceedings before the commission, appeals from orders of
7 the commission, or proceedings before state and federal agencies and courts in which the
8 subject matter of the action affects the customers of any utility or competitive service
9 provider doing business in this State, ~~except that the Public Advocate may not intervene~~
10 ~~in any proceeding in which the commission staff is representing a position substantially~~
11 ~~similar to that of the Public Advocate, as determined by the Public Advocate.~~

12 **SUMMARY**

13 This bill removes an exception to the Public Advocate's ability to petition to initiate,
14 or intervene and appear in, any proceedings before the Public Utilities Commission,
15 appeals from orders of the commission or proceedings before state and federal agencies
16 and courts in which the subject matter of the action affects the customers of any utility or
17 competitive service provider doing business in the State. The exception the bill removes
18 is the prohibition against the Public Advocate's intervening in any proceedings in which
19 commission staff is representing a position substantially similar to that of the Public
20 Advocate.