

# MAINE STATE LEGISLATURE

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Date: 6/5/19

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**ENERGY, UTILITIES AND TECHNOLOGY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
129TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1207, L.D. 1683, Bill, "An Act To Clarify the Definition of "Consumer-owned Transmission and Distribution Utility""

Amend the bill by striking out the title and substituting the following:

**'An Act To Clarify the Definitions of Consumer-owned Utilities'**

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

**'Sec. 1. 35-A MRSA §3201, sub-§6,** as enacted by PL 1997, c. 316, §3, is amended to read:

**6. Consumer-owned transmission and distribution utility.** "Consumer-owned transmission and distribution utility" means any transmission and distribution utility wholly owned by its consumers, including, its consumers served in the State. "Consumer-owned transmission and distribution utility" includes but is not limited to:

- A. The transmission and distribution portion of a rural electrification cooperative organized under chapter 37;
- B. The transmission and distribution portion of an electrification cooperative organized on a cooperative plan under the laws of the State;
- C. A municipal or quasi-municipal transmission and distribution utility located in the State;
- D. The transmission and distribution portion of a municipal or quasi-municipal entity located in the State providing generation and other services; and
- E. A transmission and distribution utility wholly owned by a municipality located in the State.

**Sec. 2. 35-A MRSA §3501, sub-§1,** as amended by PL 1999, c. 398, Pt. A, §85 and affected by §§104 and 105, is further amended to read:

**COMMITTEE AMENDMENT**

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**1. Consumer-owned transmission and distribution utility.** For the purposes of this chapter, "consumer-owned transmission and distribution utility" means any transmission and distribution utility that is wholly owned by its consumers, including, its consumers served in the State. "Consumer-owned transmission and distribution utility" includes but is not limited to:

- A. Any rural electrification cooperative organized under chapter 37;
- B. Any electrification cooperative organized on a cooperative plan under the laws of the State;
- C. Any municipal or quasi-municipal transmission and distribution utility located in the State;
- D. The portion of any municipal or quasi-municipal entity located in the State providing transmission and distribution services; and
- E. Any transmission and distribution utility wholly owned by a municipality located in the State.

**Sec. 3. 35-A MRSA §6101, sub-§1-A,** as enacted by PL 1987, c. 490, Pt. B, §11, is repealed and the following enacted in its place:

**1-A. Consumer-owned water utility.** "Consumer-owned water utility" means any water utility which is wholly owned by its consumers, including its consumers served in the State. "Consumer-owned water utility" includes but is not limited to:

- A. Any municipal or quasi-municipal water district or corporation located in the State;
- B. Any municipal water department located in the State; or
- C. The water portion of any utility wholly owned by a municipality or district located in the State.'

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

**SUMMARY**

This amendment amends the definition of "consumer-owned transmission and distribution utility" in the bill. The amendment specifies that a consumer-owned transmission and distribution utility is wholly owned by its consumers, including its consumers served by the utility in this State. The amendment also adds a provision to amend the definition of "consumer-owned water utility" in the same way and makes other clarifying changes to the language in the bill.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 129th MAINE LEGISLATURE

LD 1683

LR 2502(02)

An Act To Clarify the Definition of "Consumer-owned Transmission and Distribution Utility"

Fiscal Note for Bill as Amended by Committee Amendment *A(H-478)*

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

Any additional costs to the Public Utilities Commission as a result of changes to the definitions of consumer-owned transmission and distribution utilities and consumer-owned water utilities are anticipated to be minor and can be absorbed within existing budgeted resources.