

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 177

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H.P. 118

House of Representatives, January 13, 2023

**An Act to Amend the Authority of the Public Utilities Commission  
Regarding Special Rate Contracts**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative FOSTER of Dexter.

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

2 **Sec. 1. 35-A MRSA §1311-A, sub-§1, ¶F,** as enacted by PL 1997, c. 691, §5 and  
3 affected by §10, is amended to read:

4 F. Notwithstanding any other provision of this subsection:

5 (1) The commission may deny all parties, including the commission and its staff,  
6 access to information if the commission finds that the potential for harm from  
7 disclosure of the information outweighs its probative value in the proceeding; ~~and~~

8 (2) The commission may deny an attorney access to information under protective  
9 order if the commission finds that the attorney's request for access to the  
10 information is not made in good faith or that the attorney will not respect the terms  
11 of the protective order; ~~and~~

12 (3) The commission may deny or limit access to information if the commission  
13 finds that a party or attorney may be able to use the information in future contract  
14 negotiations with a utility to gain an unfair negotiating advantage, including  
15 negotiations for special rates under section 703.

16 **SUMMARY**

17 This bill allows the Public Utilities Commission to deny or limit access to information  
18 if a party or attorney may be able to use the information in future contract negotiations with  
19 a utility to gain an unfair negotiating advantage.