

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 26

House of Representatives, Jan. 25, 1911.

Introduced by Mr. Pattangall of Waterville and tabled by him for printing pending reference to a committee.

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT to amend Section one of Chapter fifty-five of the Revised Statutes as amended by Chapter one hundred and seventy-two of the Public Laws of Nineteen Hundred and Seven relating to telegraph and telephone companies, gas and electric light and power companies.

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

Section 1. Section one of Chapter fifty-five of the Revised
2 Statutes as amended by chapter one hundred and seventy-two
3 of the Public Laws of 1907 is hereby amended by adding to
4 said section the following words: 'Provided, also, that any
5 corporation organized as provided in this section may make,
6 generate, sell, distribute and supply electricity in or to any
7 city or town, in or to which another company, person or firm

8 is making, generating, selling, distributing or supplying, or
9 is authorized to make, generate, sell, distribute or supply
10 electricity, provided that said corporation shall first petition
11 a justice of the Supreme Judicial Court for permission so to
12 do, and that three disinterested commissioners, appointed by
13 said justice, after hearing the petitioners and other interested
14 parties shall deem that it is for the general public good that
15 such petition should be granted, and said commissioners may
16 grant said petition in whole or in part and subject to such
17 conditions and restrictions as they deem necessary. Hear-
18 ings before such commissioners shall be conducted under
19 such rules as the court may prescribe. The decision of such
20 commissioners shall be final when their report is accepted by
21 the court and shall be so accepted in the absence of fraud,
22 prejudice or mistake on the part of the commissioners. A
23 copy of their decision shall be filed with the Secretary of
24 State, who shall record the same.' So that said section as
25 amended shall read as follows:—

'Sect. 1. Corporations for the operation of telegraphs
27 and telephones, and corporations for the operation of both
28 telegraphs and telephones, and corporations for the purpose
29 of making, generating, selling, distributing and supplying
30 gas or electricity or both for lighting, heating, manufacturing,
31 power or mechanical purposes in any city or town, or two or
32 more adjoining cities or towns within the state, or for either
33 or any of such purposes, may be organized under the pro-
34 visions of section five to ten inclusive of chapter forty-seven.

35 But no corporation so organized shall have authority, with-
36 out special act of the legislature, to make, generate, sell, dis-
37 tribute or supply gas or electricity, or both, for any purpose,
38 in or to any city or town, in or to which another company,
39 person or firm are making, generating, selling, distributing
40 or supplying, or are authorized to make, generate, sell, dis-
41 tribute or supply gas or electricity, or both. Provided, how-
42 ever, that any corporation organized as provided in this
43 section may sell and distribute electricity to any other cor-
44 poration authorized to make, generate, sell, distribute and
45 supply electricity and may sell and distribute electricity to
46 any street railroad company. Provided, also, that any cor-
47 poration organized as provided in this section may make,
48 generate, sell, distribute and supply electricity, in or to any
49 city or town, in or to which another company, person or firm
50 is making, generating, selling, distributing or supplying or is
51 authorized to make, generate, sell, distribute or supply elec-
52 tricity, provided that said corporation shall first petition a
53 justice of the Supreme Court for permission so to do
54 and that three disinterested commissioners, appointed by
55 said justice, after hearing the petitioners and other interest-
56 ed parties, shall deem that it is for the general public good
57 that such petition should be granted, and said commissioners
58 may grant said petition in whole or in part and subject to
59 such conditions and restrictions as they deem necessary.
60 Hearing before such commissioners shall be conducted under
61 such rules as the court may prescribe. The decision of such

62 commissioners shall be final when their report is accepted by
63 the court and shall be so accepted in the absence of fraud,
64 prejudice or mistake on the part of the commissioners. A
65 copy of their decision shall be filed with the Secretary of
66 State who shall record the same.'