

MAINE STATE LEGISLATURE

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NEW DRAFT UNDER NEW TITLE.

SEVENTY-EIGHTH LEGISLATURE

HOUSE

NO. 403

House of Representatives, Feb. 27, 1917.

Printed under joint rules.

W. R. ROIX, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT to authorize the Public Utilities Commission to investigate any proposed changes in the rates of any public utility, and to suspend the same pending investigation.

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

Section 1. Whenever the Public Utilities Commission receives notice of any change or changes proposed to be made in any schedule of rates filed with said commission under the provisions of law it shall have power at any time before the effective date of such change or changes, either upon complaint or upon its own motion, and after reasonable notice, to hold a public hearing and make investigation as

8 to the propriety of such proposed change or changes. At
9 any such hearing involving any change or changes as above
10 specified the burden of proof to show that such change is
11 reasonable shall be upon the public utility. After such
12 hearing and investigation the commission may make such
13 order with reference to any new rate, joint rate, fare, rental,
14 toll, classification, charge, rule, regulation or form of con-
15 tract or agreement proposed as would be proper in a pro-
16 ceeding initiated upon complaint or upon motion of the
17 commission in any rate investigation.

Pending such investigation and order the commission may
2 at any time within said period preceding the effective date
3 of any such schedule, by filing with such schedule and de-
4 livering to the public utility affected thereby a statement
5 of its reasons for and suspension, suspend the operation
6 of such schedule or any part thereof, but not for a longer
7 period than three months from the date of said order of
8 suspension; provided, however, that if said investigation
9 cannot be concluded within said period of three months
10 said commission may in its discretion extend the time of
11 suspension for a further period of three months; and pro-
12 vided further that nothing in this section contained shall
13 apply to any schedule filed with the commission and pro-
14 posing any change or changes in any new rate, joint rate,
15 fare, rental, toll, classification, charge, rule, regulation or
16 form of contract or agreement affecting the transportation
17 of freight.

Sect. 2. Whenever the Public Utilities Commission receives notice of any change or changes proposed to be made in any schedule of new rates, joint rates, fares, rentals, tolls, classifications, charges, rules, regulations or forms of contract or agreement affecting the transportation of freight, and filed with said commission under the provisions of law, said commission shall have power at any time within thirty days after the effective date of such change or changes, either upon complaint or upon its own motion, and after reasonable notice, to hold a public hearing and make investigation as to the propriety of such proposed change or changes.

At any such hearing involving any change or changes as above specified the burden of proof to show that such change is reasonable shall be upon the common carrier. After such hearing and investigation the commission may make such order, within a period of not less than six months after the effective date of the schedule setting forth such change or changes with reference to any proposed new rate, joint rate, fare, rental, toll, classification, charge, rule, regulation or form of contract or agreement proposed as would be proper under existing law in a proceeding initiated upon complaint or upon motion of the commission in any rate investigation; and in cases involving an increase in an existing rate, joint rate, toll, fare, rental or charge affecting the transportation of freight, if the commission shall find that such increase is unreasonable it may, by

16 proper order, determine and fix the maximum rate, joint
17 rate, toll, fare, rental or charge which may thereafter be
18 collected for the service rendered, and no rate, joint rate,
19 toll, fare, rental or charge affecting the transportation of
20 freight in excess thereof shall be filed within a period of
21 one year after the making of such order; and the com-
22 mission, by proper order, may require the common carrier
23 which has filed any such increased rate, joint rate, toll, fare,
24 rental or charge affecting the transportation of freight to
25 refund, in such manner and under such conditions as may
26 be prescribed by the commission, to all persons from whom
27 charges have been collected by virtue of the schedules under
28 investigation, any and all sums collected in excess of the
29 rate, joint rate, toll, fare, rental or charge affecting the
30 transportation of freight so determined and fixed by the
31 commission as being the maximum rate, joint rate, toll, fare,
32 rental or charge to be collected, and may require due report
33 of the refund so made.