

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 304

S. P. 311

In Senate, Feb. 4, 1931.

Tabled by Senator Page of Somerset pending reference and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Page of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT to Amend the Charter of Fish River Power and
Storage Company.

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

Section 1. Section sixteen of chapter one hundred and eight of the private and special laws of one thousand nine hundred and twenty-nine is hereby amended by striking out the entire section and by inserting the following in lieu thereof so that said section sixteen shall read as follows:

'Sect. 16. Forfeiture of Charter Rights. This act shall become null and void,

(a) unless the company shall have organized and commenced actual business within two years from the day when the same takes effect and

(b) unless, within four years from the day when this act takes effect the company hereby created shall have begun actual construction of a hydro-electric power generating plant or plants of at least four thousand horse power installed capacity on the Fish river in the town of Fort Kent, and unless said power plant or plants shall be completed and put in operation within a further period of two years unless delayed by factors beyond control.'

Sect. 2. Section seventeen of chapter one hundred and eight

of the private and special laws of one thousand nine hundred and twenty-nine is hereby amended by striking out the entire section and by inserting the following in lieu thereof so that said section seventeen shall read as follows:

'Sect. 17. Non-compliance with Contract. In case the contract for delivery of electrical energy entered into by Saint John River Power Company under section ten hereof shall not be complied with by the said Saint John River Power Company or its successors even though such non-compliance be caused by some present or future law of the province of New Brunswick or of the Dominion of Canada the state of Maine may, through such agencies as it may provide for the purpose, acquire the franchises and the rights hereby granted and the dams and other structures erected by authority of this act, and the lands and interests therein and other property and rights acquired by the company for the objects and purposes in section two of this act set out, upon payment therefor of the original cost of the same prudently expended as determined by the public utilities commission, less depreciation on said structures, but such payment shall not include compensation for the value of the franchises granted by this act or any profit to the International Paper and Power Company or any of its subsidiary or affiliated companies. If any such non-compliance shall be caused by some present or future law of the province of New Brunswick or of the Dominion of Canada and if the state or an agency thereof shall exercise such right of acquisition then, in that case, the state or said agency thereof as the owner of the property and franchises of the company shall, to the extent that it is possible to do so by operation of the property so acquired, perform any contracts which the company may have made to supply electrical energy for use in the state of Maine unless the public utilities commission shall determine that any such contract is on such terms as to be unfair to the state or said agency thereof, and in the event of any such determination shall so supply electrical energy on terms prescribed by the public utilities commission as fair to all parties concerned.'