

MAINE STATE LEGISLATURE

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NEW DRAFT

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 872

S. P. 579

In Senate, Mar. 10, 1933.

Reported by Senator Weatherbee of Penobscot from Committee on Public Utilities and laid on table to be printed under Joint Rules.

ROYDEN V. BROWN, Secretary.

New Draft of S. P. 91, L. D. 103.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Relating to Abandonment of Property or Discontinuance of Service by Public Utilities.

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

Abandonment of property or service by public utilities. Chapter 62 of the revised statutes is hereby amended by adding thereto the following section to be designated as section 44-A:

'Sec. 44-A. Abandonment of property or service by public utilities. No public utility as defined in this chapter shall abandon all or any part of its plant, property or system necessary or useful in the performance of its duties to the public, or discontinue the service which it is rendering to the public by the use of such facilities, without first securing the approval of the public utilities commission. In granting its approval, the commission may impose such terms, conditions or requirements as in its judgment are necessary to protect the public interest. Any public utility abandoning all or any part of its plant, property, or system or discontinuing service in pursuance of authority granted by the commission under the provisions of this section shall be deemed to have waived any and all objections to the terms, conditions or requirements imposed by the commission in that regard. The provisions of this section shall not apply to any railroad corporation engaged in interstate commerce while and so long as such

corporation is required by federal law to make application to and procure consent from the interstate commerce commission as a condition precedent to any such abandonment of property or discontinuance of service as is herein contemplated; nor to action under any order of a court having and exercising jurisdiction over a public utility in bankruptcy, foreclosure, or receivership proceedings.'