

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND TENTH LEGISLATURE

SECOND SPECIAL SESSION

September 25, 1981

AND

THIRD SPECIAL SESSION

December 9, 1981

AND

SECOND REGULAR SESSION

January 6, 1982 to April 13, 1982

AND AT THE

FOURTH SPECIAL SESSION

April 28, 1982 to April 29, 1982

AND AT THE

FIFTH SPECIAL SESSION

May 13, 1982

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co.
Augusta, Maine
1981

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
SECOND AND THIRD SPECIAL SESSIONS

and

SECOND REGULAR SESSION

and

FOURTH AND FIFTH SPECIAL SESSIONS

of the

ONE HUNDRED AND TENTH LEGISLATURE

1981

7. Reports. The commission may require gas companies to provide such reports and information as it deems necessary to administer this section.

8. Transition. Notwithstanding the provisions of this section, any fuel cost adjustment in effect on the effective date of this section shall remain in effect until such time as a fuel cost adjustment is approved by the Public Utilities Commission pursuant to this section. Any reasonable amount of unrecovered fuel costs outstanding on the date of the implementation of a revised fuel clause under these provisions may be recovered through the revised fuel clause, subject to commission approval.

Effective July 13, 1982.

CHAPTER 601

S.P. 839 - L.D. 1962

AN ACT Relating to the Installation of Utility Poles.

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

Sec. 1. 35 MRSA §2483, sub-§1, ¶A, sub-¶(2), as repealed and replaced by PL 1967, c. 262, §6, is amended to read:

(2) The municipal officers or their designees, when the public way is a city street or town way or a state or state aid highway in the compact areas of municipalities having a population over 5,000;

Sec. 2. 35 MRSA §2483, sub-§14, as amended by PL 1971, c. 593, §22, is repealed and the following enacted in its place:

14. Appeals. Appeals from decisions shall be conducted in the following manner.

A. The licensing authority shall give notice of their decision to the applicant and to any person filing

objections as soon as may be practicable.

B. Any person, firm or corporation aggrieved by a decision of the Department of Transportation or the county commissioners may appeal to the Superior Court in the manner provided in Title 23, sections 2063 to 2066, relating to highways.

C. In case of cities and towns, the decision of the municipal officers or their designees shall be filed with the clerk of the city or town within one week from the date thereof. Within 2 weeks from the filing, any person aggrieved may appeal from their decision by filing notice of appeal with a copy of the original petition and adjudication with the clerk of the city or town and with the clerk of the board of county commissioners.

D. Once a person aggrieved files a notice of appeal of a revision made by a municipality, the municipal officers may review a decision previously made by them to reconsider the issues involved, or they may act as a review board to evaluate a decision made by their designees. The municipal officers are authorized to alter decisions during the 2-week appeal period specified in paragraph C, but the person aggrieved retains the initiative to pursue the appeal if not satisfied with the altered decision.

E. The commissioners shall immediately entertain the appeal and give 2 weeks' notice of the time and place of hearing, which time shall be within 30 days from the time the appeal is filed. The hearing may be adjourned from time to time, not exceeding 30 days in all, and the commissioners shall file their decision within 30 days from the time the hearing is closed and transmit a copy of the same to the applicant, any other parties to the appeal and to the clerk of the city or town, who shall immediately record it.

Sec. 3. 35 MRSA §2483, sub-§16, as amended by PL 1971, c. 593, §22, is further amended to read:

16. Agreement. The granting of a permit by the Department of Transportation, municipal officers or their designees or county commissioners, pursuant to this section, shall constitute an agreement between the utility and the State or political subdivision thereof.