

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND ELEVENTH LEGISLATURE

**FIRST REGULAR SESSION**  
December 1, 1982 to June 24, 1983  
Chapters 1-452

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH  
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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1983

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

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## CHAPTER 36

H.P. 619 - L.D. 745

### AN ACT to Amend the Transit District Enabling Act.

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

30 MRSA §4972, as amended by PL 1981, c. 469, §3, is further amended by adding at the end a new paragraph to read:

Notwithstanding this section, the board of directors of the Greater Portland Transit District, presently comprised of the Cities of Portland and Westbrook, shall consist of 5 directors appointed from the City of Portland and 3 directors appointed from the City of Westbrook.

Effective September 23, 1983.

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## CHAPTER 37

H.P. 46 - L.D. 51

### AN ACT Relating to the Fuel Adjustment Clause of Natural Gas Utilities.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain industrial customers receive natural gas on an interruptible nonfirm basis; and

Whereas, many of these customers have dual fuel capability and might switch to oil now that oil prices are dropping; and

Whereas, a separate rate schedule for nonfirm gas customers might facilitate market competition; and

Whereas, the season from April to October, outside the heating season, is the time when natural gas is generally available to serve nonfirm customers; and

Whereas, in the judgment of the Legislature,

these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

35 MRSA §132 sub-§§1,2 and 4 as enacted by PL 1981, c. 600, are amended to read:

1. Fuel cost. Subject to the approval of the commission, each gas company shall include as part of its base rates a reasonable cost for the gas which it supplies to its firm customers who receive uninterrupted service on a year-round basis. The cost of gas shall include the cost of the gas purchased by the company for use in the State, pursuant to regulations promulgated by the commission under this section. The amount to be included in a utility's base rates shall be determined at the time of general rate adjustment under section 64 or section 296 and shall be based upon the utility's reasonable costs of gas during the test year used for the rate adjustment.

2. Fuel cost adjustment. Notwithstanding the requirements of section 69, and subject to the conditions of this section, a gas company shall adjust its gas charges to its firm customers to reflect increases and decreases in the price of gas that occur after a general rate proceeding under section 64 and section 296. A firm customer is a customer which receives uninterrupted service on a year-round basis. The rates charged to nonfirm customers shall include a cost of gas as determined by the commission and the total rate charged to nonfirm customers shall be subject to the approval of the commission.

4. Cost of gas adjustment rate applied uniformly to firm customers. The cost of gas adjustment established under this section shall be billed or credited at a single uniform rate per 100 cubic feet of gas or therms for all firm customers of the gas company. A firm customer is a customer which receives uninterrupted service on a year-round basis.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 8, 1983.

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