

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

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ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

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

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

tive Procedure Act, Title 5, chapter 375, adopt a schedule of fees for the examination of all plans for construction, reconstruction or repairs submitted to the Office of the State Fire Marshal. No fee charged pursuant to this section may exceed \$55. The fees shall be credited to the State Fire Marshal to defray the expenses of that office. Any balance of the fees shall not lapse, but shall be carried forward as a continuing account to be expended for the same purpose in the following fiscal years.

Effective September 23, 1983.

CHAPTER 233

H.P. 746 - L.D. 958

AN ACT Relating to Deposits and
Termination of Utility Service for
Nonresidential Customers.

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

Sec. 1. 35 MRSA §105, as enacted by PL 1975, c. 378, is amended to read:

§105. Utility deposits

No public utility shall may require any deposit of any residential customer without proof that the customer is likely to be a credit risk or to damage the property of the utility. ~~Such~~ That proof shall be furnished to the customer upon request. Absence of previous experience with the utility shall not be proof that the customer is a credit risk or threatens to damage utility property.

No later than December 31, 1983, every public utility shall file with the commission schedules containing its terms and conditions for requiring a deposit from nonresidential customers, which terms and conditions shall be subject to the commission's power under chapters 1 to 17. Every public utility shall comply with its terms and conditions. The commission shall adopt rules which provide a procedure for resolution by the commission or its delegate of disputes as to whether a deposit being required by a public utility is in compliance with its terms and conditions. If the rules authorize a delegate to resolve disputes, the rules shall include a procedure for appeal of the decision to the commission.

Sec. 2. 35 MRSA §314, as amended by PL 1981, c. 415, is further amended to read:

§314. Termination of utility services

The Public Utilities Commission shall adopt and promulgate reasonable regulations after hearing concerning the termination or disconnection of any residential customer's service by an electric, gas, water or telephone utility of the State. These regulations shall apply generally to all such utilities within the commission's jurisdiction and shall provide for adequate written notice by ~~such~~ that utility to the residential customer that his utility bill has not been paid, and a notice of his prospective termination or disconnection and his right, prior to disconnection, to enter into reasonable installment payment arrangements with ~~such~~ that utility company; to settle any dispute concerning the proposed disconnection at an informal hearing with ~~such~~ that utility company; and to appeal the results of ~~such~~ that utility company's decision to the Public Utilities Commission. The regulations shall also provide that there may be no termination or disconnection during a limited medical emergency and for a just and reasonable procedure regarding reconnections of utility service and deposit requirements.

No later than December 31, 1983, every public utility shall file with the commission schedules containing its terms and conditions applicable to termination of utility services to any nonresidential customer, which terms and conditions shall be subject to the commission's power under chapters 1 to 17. Every public utility shall comply with its terms and conditions. The commission shall adopt rules which provide a procedure for resolution by the commission or its delegate of disputes as to whether a proposed termination by a public utility is in compliance with its terms and conditions. A public utility may not terminate service to a nonresidential customer if the commission or its delegate rules within 7 days of receipt of the request for ruling that the proposed termination is not in compliance with the utility's terms and conditions. If the rules authorize a delegate to resolve disputes, the rule shall include a procedure for appeal of the decision to the commission.

The Public Utilities Commission shall adopt reasonable regulations, after hearing, to provide for a just and reasonable interest rate to be paid by the utility on any deposit of any customer.

Effective September 23, 1983.
