

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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

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

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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

Effective April 11, 1986.

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## CHAPTER 657

S.P. 899 - L.D. 2259

AN ACT to Assist Consumers in Obtaining  
Redress for Violation of their Rights  
by Regulated Utilities.

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

35 MRSA §314, 4th ¶, as enacted by PL 1983, c. 683, §2, is amended to read:

If the commission finds that a public utility has willfully or recklessly violated any substantive rule promulgated by the commission pursuant to the authority granted in this section, the commission may bring a complaint against the public utility before the Administrative Court as provided in Title 5, section 10051, subsection 4, except that the jurisdiction in the Administrative Court shall not include the issuance, renewal, denial or revocation of a license of a public utility. The Administrative Court may impose fines in accordance with Title 4, section 1156. Upon a finding by the Administrative Court of a property loss suffered by a customer causally related to the violation by the public utility as provided in this paragraph, the court may order the public utility to compensate the customer for the actual loss, less any setoff for a balance found to be due the utility by the customer for unpaid utility service. That loss may not include consequential damages. No action for damages resulting from a termination which was in willful or reckless violation of the commission's rules may be commenced until at least 60 days after notice of a claim setting forth the nature of the termination and the damages suffered has been provided to the utility. That notice shall be provided to the utility in writing within 30 days of the alleged termination.

Effective July 16, 1986.

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