

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

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

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
of the  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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Effective September 29, 1987.

**CHAPTER 123**

H.P. 131 — L.D. 160

**AN ACT to Clarify the Laws for  
Transmission of Electric Power and to  
Study Related Issues.**

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

Whereas, Central Maine Power Company has filed preliminary notice of a proposal to purchase power from Hydro-Quebec; and

Whereas, this legislation is intended to apply to that proposal if the company follows that preliminary notice by filing an application for approval by the Public Utilities Commission; 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:

**Sec. 1.** 35 MRSA §13-B, sub-§5 is enacted to read:

5. Imported power. In its review of any petition filed on or after January 1, 1987, for approval of the purchase of generating capacity or energy from outside the State, the commission may consider the comparative economic impact on the State of production of additional power within the State, investments in energy conservation and the purchase of the power from outside the State.

**Sec. 2.** 35 MRSA §2323, sub-§4 is enacted to read:

4. Affiliate. "Affiliate" means any person who, as determined by the commission:

A. Directly controls, is controlled by or is under common control with an electric generation enterprise; or

B. Substantially owns, is substantially owned by or is substantially under common ownership with, an electric generation enterprise.

**Sec. 3.** 35 MRSA §2330, sub-§1, as enacted by PL 1985, c. 740, §1, is amended to read:

1. Affiliates. Upon the request of an industrial enterprise located in the State to transmit or wheel electric energy to another industrial facility an affiliate in

~~the State owned in whole or in part by or otherwise affiliated with the enterprise, the electric utility shall enter into an agreement of not more than 30 years' duration to provide transmission or wheeling services subject to reasonable conditions and subject to the conditions of subsection 2.~~

**Sec. 4.** 35 MRSA §2330, sub-§5 is enacted to read:

5. Reporting. Any electric utility which provides transmission or wheeling services for electricity generated outside its service area, or for electricity generated within its service area by any other generator of electricity for delivery outside of the utility's service area, shall inform the commission of the identity of the generator and the terms and conditions for the transmission or wheeling. The report shall be filed within 30 days after any contract or agreement is signed.

**Sec. 5. Monitoring and report by the Public Utility Commission.** The Public Utility Commission with the assistance of the Office of Energy Resources and the Public Advocate shall continue to monitor the various aspects of electric generation and transmission and report to the Governor and the Legislature, with any recommendations, by November 1, 1987. The report shall consider: Wheeling from utility to utility; wheeling from producer to an outside utility; wheeling from an in-state producer to an end-user; and wheeling from an out-of-state producer to an end-user.

The report shall also analyze the bottlenecks for transmission of power from Maine to southern New England, between northern Maine and the rest of the State and from Canada into Maine. Strategies for the State to alleviate those bottlenecks also shall be considered.

The report shall consider the effects of wheeling on consumers, utilities and electric generators as a result of the introduction of competition into the provision of electric service.

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

Effective May 15, 1987.

**CHAPTER 124**

S.P. 251 — L.D. 700

**AN ACT to Transfer the Maine Fire Training  
and Education Program from the  
Department of Educational and Cultural  
Services to the Maine  
Vocational-Technical Institute System.**

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