

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

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

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

Funds to be used for 2 new positions, a consumer assistant specialist and a part-time position in the administrative division; and for increases in personnel and general operating expenses.

PUBLIC UTILITIES COMMISSION
TOTAL \$310,000 \$524,000

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

Effective April 21, 1989.

CHAPTER 59

H.P. 199 - L.D. 279

An Act to Provide for Rate Adjustments of Consumer-Owned Water Utilities to Reflect Anticipated Construction Costs

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

Sec. 1. 35-A MRSA §6105, sub-§4, ¶D, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

D. To provide for annual principal payments on serial indebtedness created or assumed by the utility; and

Sec. 2. 35-A MRSA §6105, sub-§4, ¶E, as amended by PL 1987, c. 490, Pt. B, §14, is further amended to read:

E. To provide for a contingency reserve fund allowance by providing rates to reflect up to a 5% addition to yearly revenues over what is required to operate the water utility.

If this allowance results in an excessive surplus, rates may be set which use the excess to offset future revenue requirements. The commission shall adopt rules which define excessive surplus resulting from the allowance, set forth uses of funds in that portion of the surplus which is not excessive, including the retirement of debt ~~where~~ when economic, and provide that funds in the surplus which are excessive be returned to customers in the form of temporary rate adjustments, credits or reduction in rates; and

Sec. 3. 35-A MRSA §6105, sub-§4, ¶F is enacted to read:

F. To provide for rate adjustments to reflect the cost of anticipated construction of plants or facilities required by the 1986 amendments to the United States Safe Drinking Water Act, Public Law 93-523, or related projects, provided that rates established

under this paragraph shall not be subject to section 6104.

See title page for effective date.

CHAPTER 60

H.P. 216 - L.D. 296

An Act to Clarify the Jurisdiction of the Public Utilities Commission over the Construction of Transmission Lines by Electric Utilities

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

Whereas, the 90-day period may not terminate until after the anticipated filing of a petition for approval of the construction of a transmission line by Bangor Hydro-Electric Company; and

Whereas, the public interest would be better served by the application of the provisions of this legislation to that petition; 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-A MRSA §3132, sub-§1, as enacted by PL 1987, c. 141, Pt. A, §6, is amended to read:

1. **Construction of generating facility and resulting line.** Whenever any electric utility or utilities proposes to erect within this State a permanently installed generating facility of more than 1,000 kilowatts or any transmission line capable of operating at 100 kilovolts or more, the construction of which is required ~~as a result of~~ to carry the capacity or energy produced by the generating facility, the following provisions apply.

A. The utility or utilities shall file with the commission, no less than 3 months in advance of submitting its petition for approval of the proposed facility or lines, a notice of its intent to file the petition.

The notice of intent to file shall inform the commission of the location, size, type of facility, estimated cost and proposed construction schedule of the generating facility or lines, together with such other facts and details concerning the proposed facility or lines as the commission by rule prescribes.