

MAINE STATE LEGISLATURE

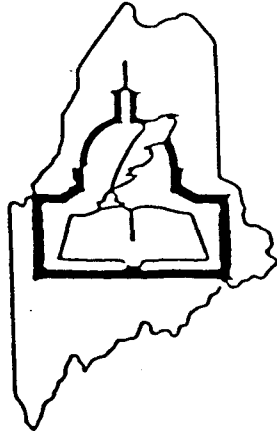
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
UTILITIES
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

The Committee Amendment (H-529) removes the \$100,000 limit, makes it clear that the alternative schedule is permissive, not mandatory and adds a fiscal note.

LD AN ACT TO AMEND THE CHARTER OF THE YORK WATER LVWD
1721 DISTRICT

Sponsor: ROLDE
Committee Report: LVWD

SUMMARY: The bill authorizes financing of water system expansion by assessment of a system development charge on new customers and those who increase their demand (See LD 1745)

LD AN ACT TO MAKE CHANGES IN THE LAWS GOVERNING PL 1985
1723 PUBLIC UTILITIES c. 629

Sponsor: BALDACCI, Richard, Clark, H., Nicholson
Committee Report: OTP-AM

S-424 CA H S

SUMMARY: This bill was submitted by the PUC and includes a number of relatively minor changes and clarifications in Title 35:

(1) Requires notice of and authorizes PUC review of projects rebuilding or relocating transmission lines of 100 kilovolts or more;

(2) Technical;

(3) The PUC Reimbursement Fund receives filing fees and is used to pay expenses related to the filing. This bill would treat photocopying and similar fees the same way;

(4) Requires municipal & quasi-municipal water utilities to include specific rate information in the notice they must give if they elect to set their own rates under §72;

(5) Under present law, municipal & quasi-municipal water utilities may collect an extra 5% in rates for a contingency fund. This bill repeals a requirement that excess funds collected in this way be applied to a sinking fund, to retire debt or returned to the ratepayers. It allows but does not require that excessive surplus be used to reduce future rates;

(6) Under present law, contracts with affiliated interests require PUC approval. The bill makes any such contract void unless PUC approves it;

(7) Under present law short term debt is not subject to state regulations, but if the amount exceeds 5% of the utility's other debt it is subject to federal regulation. In that case, the bill replaces federal regulation by state PUC regulations similar to long term debt;

(8) Would require PUC approval of long term leases (3 years or more);

(9) Under present law PUC must call a public hearing if a 10 person complaint is not resolved in 7 days. The bill requires the utility to respond within 10 days but then gives the PUC the option of calling a public hearing or pursuing an informal resolution for up to 9 months;

(10) Present law (35 MRSA §355) requires 1 to 10 years imprisonment for illegal issuance of securities or misappropriation of funds. The bill would allow a fine of at least \$500 instead;

(11) Extends from 90 days to 6 months the time for PUC to act on a small power or cogeneration electric rate;

(12) Transfer from PUC to the Division of Deafness the responsibility for affidavits of deaf telephone users; and

(13) Increases from \$35,000 to \$50,000 the filing fee for a nuclear power plant decommissioning plan.

The Committee Amendment (S-424) adds a requirement in section 4 that when municipal and quasi-municipal water utilities set rates locally, copies of the hearing notice shall be sent to the Public Utilities Commission 14 days in advance.

The amendment deletes sections 5, 13 and 15 which deal with the contingency fund for water utilities because that is covered in L.D. 1674.

The amendment modifies section 6, which makes contracts with affiliated interests void unless approved by the Public Utilities Commission, so that a hearing will be required and the voiding will be prospective.

The amendment deletes section 7 which would have substituted state for federal regulation of certain short-term debt.

The amendment provides a threshold of the greater of \$50,000 or 1% of the long-term debt for Public Utilities Commission approval of leases and restricts the provision to capital leases.

The amendment adds to the bill a requirement that a hearing date be set if the complaint is not dismissed and that the hearing actually be held if an informal resolution does not appear to be forthcoming.

The amendment retains from the bill the option of a fine instead of imprisonment, but also places an upper limit on the fine of \$100,000 and limits the offense to knowingly illegal issue of securities or misappropriation of proceeds.

The amendment deletes section 13 as discussed under section 5.

The amendment retains section 14. It is understood that the Public Utilities Commission will continue to include in its annual report to the Legislature a report on decommissioning filing fees.

The amendment deletes section 15 as discussed under section 5.

LD AN ACT TO CLARIFY THE CONFIDENTIALITY OF
1737 ACCIDENT REPORTS

LVWD

Sponsor: VOSE, Clark, H., Paradis, E., Nicholson
Committee Report: LVWD

SUMMARY: Under present law utilities must report accidents to the PUC. The PUC must investigate fatal accidents and may investigate other accidents, and the PUC may order appropriate action. Neither the order nor the recommendation of the PUC nor the accident report are admissible as evidence.

The bill makes this information confidential under the Freedom of Access Act and makes it unavailable to legal discovery.

LD AN ACT TO AMEND THE CHARTER OF THE BRUNSWICK
1738 SEWER DISTRICT

ND LD 2256

Sponsor: PRIEST, Clark, N., Hayden, Rydell
Committee Report: OTP-ND