

MAINE STATE LEGISLATURE

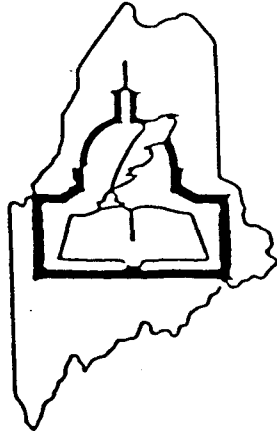
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

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

SUMMARY: This bill is report Y of the study of local telephone service conducted by the Joint Standing Committee on Utilities. This bill prohibits local measured service prior to December 31, 1986, except for resold services and for the limited optional measured service that was available at the end of 1985.

A local measured service telephone rate structure is scheduled to go into effect February 15, 1986, in 8 localities. A group of citizens has circulated legislation to ban mandatory local measured phone service and direct the State to keep flat-rate local phone service at as low a cost as possible. That legislation is to be submitted in February as an initiated bill. Under the Constitution of Maine, Article IV, Part Third, Section 18, if the Legislature does not enact that legislation the initiated bill will be submitted to the voters in November 1986.

House Amendment H-502 struck out the emergency preamble and clause.

LD AN ACT CONCERNING LOCAL TELEPHONE SERVICE RATE H-ONTP
1957 STRUCTURE S-OTP-AM

Sponsor: (Utilities Committee Study)
Committee Report: OTP-AM, ONTP

H-496 CA S
S-476 BALDACCI S

SUMMARY: This bill is report X of the study of local telephone service conducted by the Joint Standing Committee on Utilities. The bill permits a 2-year trial of optional local measured service pricing of telephone service for business and residential customers, provided that the Public Utilities Commission finds that it is not inconsistent with other provisions of law and that it is fair and equitable and helps maintain universal service. Additional requirements for residential customers include a mandatory cap and mandatory availability of calling with no time-based usage charge during off-peak hours.

A sunset provision is included: Local measured service is prohibited 90 days after adjournment of the Second Regular Session of the 113th Legislature in 1988, unless authorized by a future legislative Act. A Public Utilities Commission study is required with a report on July 1, 1987, to assist the Legislature in making that determination.

An informal vote of telephone users will be taken in November 1987, in the areas where local measured service is available. The results of that vote will be made available by January 6, 1988, to the 113th Legislature in order to inform the members in their decision whether or not to authorize continuation of the program.

The bill requires that a flat-rate option be available for residential and business telephone customers, so measured service cannot be mandatory. This amendment restates that point directly, mandatory local measured service is prohibited.

The Committee Amendment (H-496) adds emphasis. The bill requires that a flat-rate option be available for residential and business telephone customers, so measured service cannot be mandatory. This amendment restates that point directly, mandatory local measured service is prohibited.

The Senate amendment (S-476) drops most of the original bill and simply retains provisions to provide assurance that in designing the rate structure for local telephone service, the commission will take into consideration people's ability to pay, establish appropriate contributions from all kinds of services for the cost of common facilities, and with respect to measured service that the benefits of such measurement exceed the costs.

LD AN ACT TO CLARIFY THE PROCEDURE FOR APPEALS OF PL 1985
1959 DECISIONS OF THE PUC c. 663

Sponsor: ANDREWS, Richard, Clark, H., Vose
Committee Report: OTP-AM

S-435 CA H S

SUMMARY: Under present law (35 MRSA §303 & §304) utilities may appeal final decisions of the PUC to the Law Court on questions of law. Any person who participated in opposition has standing to file the appeal. The court may not stay the decision pending action on the appeal. Under (35 MRSA §305) complaints may be filed with the Law Court relative to the unconstitutionality or unlawfulness of any PUC ruling or order even if it is not final.

The bill consolidates these two situations into a single section, in order to clarify other methods of appeal.