

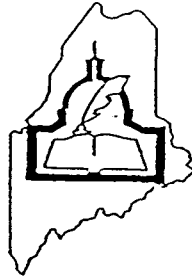
MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION



BILL SUMMARY
JOINT STANDING COMMITTEE
ON
UTILITIES

JULY 1989

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Sen. David L. Carpenter

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Rep. Rosalie H. Aikman
Rep. John F. Marsh

* Denotes Chair

Staff: Lars H. Rydell, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

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STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

SPONSOR(S)
HUSSEY
PRAY

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

This bill changes the annual meeting date of the Milo Water District from the 1st Monday in the month of February to the 1st Monday in the month of March.

SPONSOR(S)
PARADIS E
MARSH
PAUL
CARPENTER

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

The purpose of this bill was to modify and clarify the Public Utilities Commission's authority over the service territories of utilities and service territory disputes under the Maine Revised Statutes, Title 35-A, chapter 21. At present, the commission under many circumstances lacks the power to prevent overlapping dual service by 2 utilities.

Present law addresses service by additional utilities only on the basis of municipalities. The major substantive change proposed by this bill was to require PUC approval to serve in an area served by another utility providing the same service. This bill would have established a procedure to resolve disputes where there is presently dual service.

The bill also would have established a separate provision for approval of interexchange telephone services because the commission generally considers those services to be competitive, and somewhat different considerations apply from those for exchange services.

This bill would have enacted Title 35-A, section 2102-B, which overrules that portion of Biddeford and Saco Gas Co. v. Portland Gas Light Co., 237 A.2d 730 (1967) which held that a utility acquiring another company with service territory rights by private and special charter did not acquire the charter rights.

The bill limited the provisions of Title 35-A, section 2110 to water utilities. In the case of other utilities, that section was made unnecessary by the 1967 amendments to former Title 35, section 2301, now Title 35-A, section 2102-A.

Other sections terminated commission jurisdiction over telegraph service, provided necessary definitions and made conforming changes to Title 35-A, chapters 21 and 23 and section 3137.

The bill was held over until next session with the expectation that the Public Utilities Commission and the effected utilities could reach agreement on problems addressed by the bill.