

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES  
AND TECHNOLOGY**

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# STATE OF MAINE

128<sup>TH</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER*..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 128<sup>th</sup> Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

**Joint Standing Committee on Energy, Utilities and Technology**

4. It limits a requirement in current law for provider of last resort service providers to offer telephone directories in an electronic format or as a printout of an electronic database to apply only to those provider of last resort service providers that discontinue publishing a hard-copy directory.

**Enacted Law Summary**

Public Law 2017, chapter 73 does the following.

1. It updates the law regarding interstate and intrastate telecommunications access rates;
2. It repeals obsolete provisions of law requiring persons providing intrastate interexchange service to reduce their intrastate long-distance rates in the absence of effective competition, prohibiting mandatory local measured telephone service, prohibiting the Public Utilities Commission from requiring a local exchange carrier to consider competitive bids on the construction of an interexchange facility, prohibiting a telephone utility offering intrastate toll service from increasing prices without filing a tariff revision with the commission and providing subscribers written notice, prohibiting a provider of prepaid calling service from increasing rates on already purchased service and requiring notice to prepaid calling service consumers about differences between in-state and interstate service rates, and relating to customerpremise wire;
3. It specifies that the valuation of property for fixing rates does not apply to price cap incumbent local exchange carriers, as those rates are set in the Maine Revised Statutes, Title 35-A; and
4. It limits a requirement in current law for provider of last resort service providers to offer telephone directories in an electronic format or as a printout of an electronic database to apply only to those provider of last resort service providers that discontinue publishing a hard-copy directory.

**LD 755**

**An Act To Amend the Law Regarding Nontransmission Alternatives Investigations Required for Proposed Transmission Lines and Projects**

**PUBLIC 201**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S WOODSOME D	OTP-AM	H-424

This bill changes the timing of the nontransmission alternatives investigation required for proposed transmission line projects. The bill requires the investigation to be done during the course of the proceeding to consider the petition for approval of a proposed transmission line instead of being done prior to filing that petition.

**Committee Amendment "A" (H-424)**

This amendment does the following.

1. It extends from six months to nine months the time the Public Utilities Commission has to issue an order for a petition for the approval of a proposed line;
2. It changes the timing of a nontransmission alternatives investigation required for proposed transmission projects by requiring the investigation be completed during the course of the proceeding to consider the petition for an approval of a proposed transmission project instead of being done prior to filing that petition; and
3. It requires the Public Utilities Commission to issue an order in an adjudicatory proceeding regarding the investigation into the designation of a nontransmission alternatives coordinator and submit a report to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2018 on the outcome of that proceeding.

# Joint Standing Committee on Energy, Utilities and Technology

## Enacted Law Summary

Public Law 2017, chapter 201 does the following.

1. It extends from six months to nine months the time the Public Utilities Commission has to issue an order for a petition for the approval of a proposed line;
2. It changes the timing of a nontransmission alternatives investigation required for proposed transmission lines or projects by requiring the investigation be completed during the course of the proceeding to consider the petition for an approval of a proposed transmission line or project instead of being done prior to filing that petition; and
3. It requires the Public Utilities Commission to issue an order in an adjudicatory proceeding regarding the investigation into the designation of a nontransmission alternatives coordinator and submit a report to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2018 on the outcome of that proceeding.

### LD 756 An Act To Clarify the Authority of an Affiliate of a Utility To Own Power Generation outside of the Utility's Territory

PUBLIC 287

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL L KEIM L	OTP-AM	H-314 S-220 WOODSOME D

This bill authorizes an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets unless the assets are interconnected to the transmission or distribution facilities that are owned or operated by the utility or the affiliate is a wholly owned or partially owned subsidiary of the utility.

#### Committee Amendment "A" (H-314)

This amendment replaces the bill. It allows an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets in accordance with standards of conduct adopted by the Public Utilities Commission, unless the generation or generation-related assets are directly interconnected to the facilities owned or operated by that investor-owned transmission and distribution utility. It directs the Public Utilities Commission to adopt major substantive rules that establish standards of conduct governing the relationship between an investor-owned transmission and distribution utility and an affiliate that ensure the separation and independence of the affiliate and protects ratepayers.

The amendment allows an affiliate of an investor-owned transmission and distribution utility that owns generation or generation-related assets that are not directly interconnected to the facilities owned or operated by that investor-owned transmission or distribution utility to continue to own those generation or generation-related assets. Upon adoption of rules by the Public Utilities Commission, the affiliate is subject to the standards of conduct adopted by the commission.

#### Senate Amendment "A" To Committee Amendment "A" (S-220)

This amendment provides that any affiliate generation or generation-related assets that are permitted under the bill but do not have a long-term contract or term sheet approved by the Public Utilities Commission as of July 1, 2017 are ineligible to participate in a long-term contract under the Maine Revised Statutes, Title 35-A.

## Enacted Law Summary

Public Law 2017, chapter 287 allows an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets in accordance with standards of conduct adopted by the Public Utilities Commission, unless the generation or generation-related assets are directly interconnected to the facilities owned or operated by that investor-owned transmission and distribution utility. It directs the Public Utilities Commission to