

Joint Standing Committee on Utilities and Energy

LD 221

An Act to Amend the Charter of the Madison Water District

P & S 8

<u>Sponsor(s)</u> RICHARD		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-19
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LD 221 proposed to amend the charter of the Madison Water District to correct an error and to clarify the process for filling a vacancy on the board of trustees.

Committee Amendment "A" (H-19) proposed to remove an ambiguity that might have been created by an amendment to the charter that was made in 1994.

Enacted law summary

Private and Special Law 1997, chapter 8 amends the charter of the Madison Water District to correct certain errors and ambiguities and to clarify the process for filling a vacancy on the board of trustees.

LD 224

An Act Regarding Charges Assessed against Owners of Sprinkler Systems **CARRIED OVER**

<u>Sponsor(s)</u> CAMPBELL		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 224 proposes to prohibit a water utility from charging customers with private fire protection systems, such as sprinklers, rates to recover the utility's backup capacity costs. The bill proposed to require the rates to be based on water usage. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 233

An Act to Regulate Telephone Directory Entries

ONTP

<u>Sponsor(s)</u> POVICH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 233 proposed to require telephone utilities to include in directories the address of a customer who has an "800" or "888" number.

LD 262

An Act to Permit the Public Utilities Commission to Exempt Certain Telephone Utilities from Obtaining Approval to Serve

PUBLIC 118

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY JONES K	OTP-AM	S-84

LD 262 proposed to permit the Public Utilities Commission to exempt certain telephone utilities from the statutory requirement to obtain approval before commencing service if the commission finds that unjust or unreasonable rates will not result from granting the exemption.

Committee Amendment "A" (S-84) proposed the following substantive changes to the bill:

1. To require that any exemption to be established by major substantive rule; and
2. To make explicit the commission's ability to revoke an exemption in whole or in part and to revoke an exemption for a single telephone utility.

Enacted law summary

Public Law 1997, chapter 118 permits the Public Utilities Commission by rule to exempt certain telephone utilities from the statutory requirement to obtain approval before commencing service. An exemption may be granted only when the commission finds that unjust or unreasonable rates will not result from granting the exemption. The commission is authorized to revoke an exemption in whole or in part.

LD 366

An Act to Require Regular Disclosure of Low-cost Telephone Calling Plans to Telephone Customers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES K KIEFFER	ONTP	

LD 366 proposed to require telephone utilities to provide every 6 months a notice to customers describing optional low-cost calling plans. The bill also proposed to require telephone utilities, once every 24 months, to provide a statement to each customer of any potential savings for that customer if the customer had subscribed to an optional calling plan.

LD 371

An Act to Clarify the Definition of Qualified School for Telecommunications Network Purposes

PUBLIC 169

Sponsor(s)
JONES K
CAREY

Committee Report
OTP

Amendments Adopted

LD 371 proposed to expand the definition of "qualified school" for purposes of access to information services under the Maine Revised Statutes, Title 35-A, section 7104-A. The expanded definition would include private schools approved by the Department of Education under Title 20-A, section 2901, but would not include schools approved by the department for attendance purposes only.

Enacted law summary

Public Law 1997, chapter 169 expands the definition of "qualified school" for purposes of access to information services under the Maine Revised Statutes, Title 35-A, section 7104-A.

LD 372

An Act to Require Employees of Public Utilities to Be Licensed When Providing Services Outside the Regulated Activities of the Utility

PUBLIC 119

Sponsor(s)
WINSOR

Committee Report
OTP-AM

Amendments Adopted
H-132

LD 372 proposed to modify laws regulating skilled labor that exempt employees of public utilities or other corporations regulated by the Public Utilities Commission, the Federal Communications Commission or the Interstate Commerce Commission from licensing requirements otherwise applicable to electricians, plumbers and oil burner technicians. The bill proposed to make the exemptions apply only to the extent the employee or the corporation is providing a service that is regulated by those agencies. The bill proposed that, when doing work that is not part of the regulated service, the corporation and its employees would not be exempt from the licensing requirements.

Committee Amendment "A" (H-132) proposed to replace the entire bill but to preserve the substance of that portion of the bill that modified the exemption public utilities are currently granted from the licensing requirements for making electrical installations. The amendment proposed to clarify the language of the exemption and remove an obsolete reference to the Interstate Commerce Commission.

Enacted law summary

Public Law 1997, chapter 119 modifies the exemption public utilities and their employees are currently granted from licensing requirements for making electrical installations. It provides that the exemptions apply only to the extent the employee or the utility is providing a regulated service.

LD 382 **An Act to Prohibit the Public Utilities Commission from Directing Utility Overcharges to Any Program Other Than Repayment to Ratepayers** **ONTP**

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 382 proposed to prohibit the Public Utilities Commission from directing utility customer overcharges to be used in any manner other than the reduction of the rates charged to those customers who have been overcharged or direct rebates to those customers.

LD 483 **An Act to Create Industrial Enterprise Districts to Promote Economic Development and to Retain and Increase Good Quality Jobs by Providing More Competitive Electric Rates within the Districts** **ONTP**

<u>Sponsor(s)</u> O'GARA		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 483 proposed to allow a municipality to establish within the municipality an industrial enterprise district in which electric rates would be reduced for eligible businesses.

LD 499 **An Act to Amend the Charter of the Canton Water District** **ONTP**

<u>Sponsor(s)</u> FERGUSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 499 proposed to require the trustees of the Canton Water District to hold the district's annual meeting within the first two weeks of June.

LD 502 **An Act to Require Fair Compensation for Ratepayer Assets Used by a Subsidiary or an Affiliate of a Utility** **PUBLIC 237**

<u>Sponsor(s)</u> CLEVELAND KONTOS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-161
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LD 502 proposed to require the Public Utilities Commission to quantify the value of facilities, services and intangibles used by affiliated interests of utilities and to compensate ratepayers for their contributions to that value. The bill also proposed to require the commission to adjudicate complaints by competitors of a

utility or utility affiliate alleging the utility or its affiliate possess an unfair competitive advantage in an unregulated market.

Committee Amendment "A" (S-161) proposed to modify the provisions of the bill dealing with the Public Utilities Commission adjudication of complaints by persons competing with a utility or an affiliate of a utility in an unregulated market. This amendment provides that the commission may dismiss without hearing any complaint that, after summary investigation, it concludes is clearly intended to harass or delay, is frivolous or is clearly without merit.

This amendment also proposed to impose certain time limits on commission determinations under the bill.

Enacted law summary

Public Law 1997, chapter 237 requires the Public Utilities Commission to quantify the value of facilities, services and intangibles used by affiliated interests of utilities and to compensate ratepayers for their contributions to that value. It also requires that the commission adjudicate reasonable complaints by competitors of a utility or utility affiliate alleging the utility or its affiliate possess an unfair competitive advantage in an unregulated market.

LD 529 An Act to Conform the Lien Procedures Within the Charter of Boothbay Harbor Sewer District to Statutory Lien Procedures P & S 14

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HONEY KILKELLY	OTP-AM	H-133

LD 529 proposed to grant to the Boothbay Harbor Sewer District the same lien notice and collection rights available to sanitary districts under the Maine Revised Statutes, Title 38.

Committee Amendment "A" (H-133) proposed a technical change to the bill.

Enacted law summary

Private and Special Law 1997, chapter 14 grants to the Boothbay Harbor Sewer District the same lien notice and collection rights available to sanitary districts under the Maine Revised Statutes, Title 38.

LD 565 An Act to Require Approval of Municipalities for Construction of Natural Gas Pipelines ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER TREAT	ONTP MAJ OTP MIN	

LD 565 proposed to require natural gas utilities to comply with municipal land use ordinances and zoning ordinances prior to constructing any natural gas pipeline.

LD 578

**An Act to Prohibit Retrofits of Nuclear Power Plants without
Permission of the Public Utilities Commission**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY R	ONTP	

LD 578 proposed to require any licensee of the United States Nuclear Regulatory Commission who proposes to invest in a major retrofit of a nuclear power plant to first obtain a certificate of public convenience and necessity from the Public Utilities Commission. The certificate would have established the need for the retrofit and the prudence of the investment, considering the potential impact on ratepayers in this State.

LD 601

An Act to Provide Municipal Notification of Utility Services

PUBLIC 199

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM	S-146

LD 601 was referred jointly to the Utilities and Energy Committee and the State and Local Government Committee. It proposed to repeal the law prohibiting utilities from installing service to a lot or dwelling unit until municipal officers have certified that the lot or dwelling unit is in compliance with shoreland zoning and subdivision laws. It proposed instead to require a utility to notify the municipal officers before installing services, unless it has received prior authorization from the municipal inspector.

Committee Amendment "A" (S-146) replaced the bill. It proposed to maintain the current law requiring utilities to obtain written certification that lots or units comply with municipal ordinances before installing utility services, but to add a provision allowing each municipality to establish alternate procedures with utilities if it so chooses. The municipality and the utility must agree to the alternate procedures before they supersede existing requirements.

Enacted law summary

Public Law 1997, chapter 199 allows municipalities to agree to an alternate procedure for utility companies to notify the municipality before installing utility services to a lot or dwelling unit, in order to give the municipality a chance to ensure that the lot or dwelling unit complies with municipal ordinances.

LD 667

**An Act to Create and Incorporate the Jackman Utility District by
Merger of the Jackman Water District and the Jackman Sewer
District**

**P & S 30
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP-AM	S-165

LD 667 proposed to combine the Jackman Water District and the Jackman Sewer District under the new name of the Jackman Utility District.

Committee Amendment "A" (S-165) proposed technical corrections to the bill. The amendment also proposed to clarify that the Jackman Utility District is comprised only of the Town of Jackman but that the district is required to serve the Town of Moose River, Dennistown Plantation and Attean Township. The amendment also proposed to create a transition board to serve until the board of the new district is in place.

Enacted law summary

Private and Special Law 1997, chapter 30 combines the Jackman Water District and the Jackman Sewer District under the new name of the Jackman Utility District and creates a transition board to serve until the board of the new district is in place. The law is effective on May 20, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 707 **An Act to Require a Percentage of Natural Gas Flowing through the State to Be Reserved for Maine Users** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	ONTP	

LD 707 proposed to prohibit an interstate natural gas pipeline from being constructed or operated in this State after January 1, 1998 unless at least 5% of the annual amount of natural gas flowing through the pipeline is offered for sale for resale to Maine consumers.

LD 724 **An Act to Amend the Charter of the Portland Water District** **P & S 15
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TAYLOR BUTLAND	OTP-AM	H-134

LD 724 proposed to modify the charter of the Portland Water District to allow the district to contract with firms and municipalities to provide storm drain services and permit the trustee election dates in the Town of Gorham, the Town of Cape Elizabeth, the Town of Scarborough, the City of South Portland and the City of Westbrook to coincide with regular municipal elections.

Committee Amendment "A" (H-134) proposed to add a transition clause to clarify that terms of certain trustees of the Portland Water District are extended to coincide with the dates established by the bill for the election of their successors.

Enacted law summary

Private and Special Law 1997, chapter 15 modifies the current charter of the Portland Water District to allow it to contract with firms and municipalities to provide storm drain services and to permit the trustee

election dates in the Town of Gorham, the Town of Cape Elizabeth, the Town of Scarborough, the City of South Portland and the City of Westbrook to coincide with regular municipal elections. The law is effective on April 25, 1997.

LD 735

**An Act to Permit the Public Utilities Commission to Suspend Rate
Regulation of Certain Telephone Utilities**

PUBLIC 276

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES K	OTP-AM MAJ	H-291
CAREY	OTP-AM MIN	

LD 735 proposed to allow the Public Utilities Commission to suspend rate regulation of telephone utilities that have insignificant market control if that action would not result in unjust or unreasonable rates for customers. Any such telephone utility would still be required to file its rates with the Public Utilities Commission, but those rates would not be subject to prior commission approval.

Committee Amendment "A" (H-291), the majority report of the committee, proposed to replace the bill. This amendment proposed to permit the Public Utilities Commission to adopt rules under which it could exempt a telephone utility or group of telephone utilities from the provisions of the Maine Revised Statutes, Title 35-A, chapters 9 and 11 and sections 307 and 310. These provisions relate to regulation of telephone utility rates, issuance of long-term debt, the selling of property useful in the performance of public duties, mergers with other utilities, acquisition of stock of other utilities and abandonment of service. The amendment proposed to provide that the commission could grant exemptions only to the extent that they are in the public interest.

This amendment also proposed:

1. To require the Public Utilities Commission, by December 1, 1997, to issue a report to the Joint Standing Committee on Utilities and Energy concerning deregulation of telecommunications services;
2. To prohibit the Public Utilities Commission from granting any exemptions pursuant to Title 35-A, section 307-A, 912 or 1105 until February 1, 1998; and
3. To authorize the Joint Standing Committee on Utilities and Energy to report out legislation concerning regulation or deregulation of telecommunications services to the Second Regular Session of the 118th Legislature.

Committee Amendment "B" (H-292), the minority report of the committee, proposed to replace the bill. This amendment proposed to permit the Public Utilities Commission to adopt rules under which it could exempt a telephone utility or group of telephone utilities from the provisions of the Maine Revised Statutes, Title 35-A, chapters 9 and 11 and sections 307 and 310. The amendment also proposed to provide that the commission could grant exemptions only to the extent that they are in the public interest.

Enacted law summary

Public Law 1997, chapter 276 permits the Public Utilities Commission to adopt rules under which it may exempt a telephone utility or group of telephone utilities from the provisions of the Maine Revised Statutes,

Title 35-A that relate to regulation of telephone utility rates, issuance of long-term debt, the selling of property useful in the performance of public duties, mergers with other utilities, acquisition of stock of other utilities and abandonment of service. The law provides that the commission may grant exemptions only to the extent that they are in the public interest. The commission may, for good cause, revoke any exemption granted. The law also: (1) requires the Public Utilities Commission, by December 1, 1997, to issue a report to the Joint Standing Committee on Utilities and Energy concerning deregulation of telecommunications services; (2) prohibits the Public Utilities Commission from granting any exemptions pursuant to Title 35-A, section 307-A, 912 or 1105 until February 1, 1998; and (3) authorizes the Joint Standing Committee on Utilities and Energy to report out legislation concerning regulation or deregulation of telecommunications services to the Second Regular Session of the 118th Legislature.

LD 767 **An Act to Clarify Sanitary District and Sewer District Authority to Adopt Impact Fees** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER	ONTP MAJ OTP-AM MIN	

LD 767, which was initially referenced to and reported out of the Natural Resources Committee, was re-referred to this committee. The bill proposed to require that impact fees established by sewer or sanitary districts conform to the requirements of law that apply to impact fees established by municipalities.

Committee Amendment "B" (H-548), the minority report of the committee, proposed that impact fees collected by sewer and sanitary districts be subject to regulation by the Public Utilities Commission.

LD 783 **An Act to Allow Certain Public Utilities to Extend Their Service into Areas Serviced by Other Public Utilities** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARD	ONTP MAJ OTP MIN	

LD 783 proposed to overturn the ruling of the Public Utilities Commission, confirmed by the Law Court, that a public utility acquire commission approval prior to extending its service into another utility's service territory beyond the area the first utility was serving on October 8, 1967.

LD 805 **An Act to Create the Oquossoc Standard Water District** **P & S 21
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT BARTH	OTP-AM	S-112

LD 805 proposed to create the Oquossoc Standard Water District.

Committee Amendment "A" (S-112) proposed to add a mandate preamble; to clarify the area outside the territory of the proposed Oquossoc Standard District in which the district is authorized to take water; to clarify that only voters within the district are authorized to vote for district trustees; to make a reference to election procedures for elections of trustees of standard water districts; and to modify the referendum clause to provide that only voters within the proposed district are eligible to vote on the creation of the district.

Enacted law summary

Private and Special Law 1997, chapter 21 creates the Oquossoc Standard Water District. The law is effective on May 13, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 807

An Act to Amend the Charter of the Winthrop Utilities District

P & S 16

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT MCKEE	OTP-AM	S-85

LD 807 proposed to replace the charter for the Winthrop Water District.

Committee Amendment "A" (S-85) proposed to replace the bill. It proposed to repeal and replace most of the charter of the Winthrop Utilities District in order to update the charter language, to remove obsolete references and to preserve the district's tax-exempt status.

Enacted law summary

Private and Special Law 1997, chapter 16 repeals and replaces most of the charter of the Winthrop Utilities District in order to update the charter language, to remove obsolete references and to preserve the district's tax-exempt status.

LD 810

An Act to Clarify the Duties of the Office of the Public Advocate

PUBLIC 166

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN	OTP-AM	S-109

LD 810 proposed to limit the duties of the office of the Public Advocate to representation of residential and commercial users and consumers whose views are not being represented before the Public Utilities Commission.

Committee Amendment "A" (S-109) proposed to replace the bill. It proposed to require the Public Advocate to give priority to representing low-income, residential, small business and other consumers who are not represented or inadequately represented in matters within the jurisdiction of the Public Utilities Commission.

Enacted law summary

Public Law 1997, chapter 166 requires the Public Advocate to give priority to representing low-income, residential, small business and other consumers who are not represented or inadequately represented in matters within the jurisdiction of the Public Utilities Commission.

LD 812

An Act to Require the Public Utilities Commission to Align Telecommunications Carrier Access Rates with Costs to Foster Economic Development and Competition throughout the State

PUBLIC 259

<u>Sponsor(s)</u> CAREY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-162
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LD 812 proposed to require the Public Utilities Commission, by December 31, 1997, to establish interexchange access rates that are based on the forward looking economic cost of providing the service.

Committee Amendment "A" (S-162) proposed to replace the bill. The amendment proposed (1) to require the Public Utilities Commission, by May 30, 1999, to set intrastate access rates at or below interstate access rates; (2) to require the commission to order interexchange providers to lower intrastate toll rates to reflect net reductions in intrastate access rates if the commission finds that effective competition does not exist in the intrastate long-distance market; (3) to require the commission, by January 1, 1998, to issue a report on access rates to the Joint Standing Committee on Utilities and Energy; and (4) to authorize the Joint Standing Committee on Utilities and Energy to report out legislation on intrastate access rates to the Second Regular Session of the 118th Legislature.

Enacted law summary

Public Law 1997, chapter 259:

1. Requires the Public Utilities Commission, by May 30, 1999, to set intrastate access rates at or below interstate access rates;
2. Requires the commission to order interexchange providers to lower intrastate toll rates to reflect net reductions in intrastate access rates if the commission finds that effective competition does not exist in the intrastate long-distance market;
3. Requires the commission, by January 1, 1998, to issue a report on access rates to the Joint Standing Committee on Utilities and Energy; and
4. Authorizes the Joint Standing Committee on Utilities and Energy to report out legislation on intrastate access rates to the Second Regular Session of the 118th Legislature.

LD 820

An Act to Repeal the Maine Surplus Energy Auction Program

PUBLIC 56

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY JONES K	OTP	

LD 820 proposed to repeal the Maine Surplus Energy Auction Program. Only one utility qualified for surplus sales under the Maine Surplus Energy Auction Program and no bids were received in that instance.

Enacted law summary

Public Law 1997, chapter 56 repeals the Maine Surplus Energy Auction Program.

LD 858

An Act to Expand Basic Service Calling Areas to Include All Municipalities within a School Administrative Unit

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDOUGALL MACKINNON	ONTP	

LD 858 proposed to require the Public Utilities Commission to adopt rules allowing customers with a school administrative unit to make unlimited calls within the unit for a flat monthly rate.

LD 894

An Act to Guarantee Wider Local Calling Access to Every Telephone Exchange in the State

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLENIK GOLDTHWAIT	ONTP	

LD 894 proposed to require the Public Utilities Commission to adopt major substantive rules establishing basic-service calling areas that include at least five contiguous exchanges.

LD 919

Resolve, to Review and Reform the Public Utilities Commission Order Related to School Access to Electronically Transmitted Information

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODWIN	ONTP	

2. Define the confidentiality of E-9-1-1 databases and information received from callers by public safety answering points;
3. Provide immunity to entities and personnel within the E-9-1-1 system; and
4. Create a prohibition against repeated dialing of the emergency 9-1-1 number for nonemergency matters.

Committee Amendment "A" (H-355), the majority report of the committee, proposed the following:

1. To cross-reference the immunity provided under the Maine Tort Claims Act that is available to government entities and to remove the provisions of the bill proposing to grant immunity to any other person or entity associated with the E-9-1-1 system;
2. To change the confidentiality provisions of the bill to provide that the following information contained in any database, report, audio recording or other record of the Emergency Services Communication Bureau or a public safety answering point is confidential and is subject to limited disclosure:
 - A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;
 - B. Customer information, described in the Maine Revised Statutes, Title 35-A, section 7501, subsection 1, that is omitted from a telephone utility directory list at the request of a customer;
 - C. The name, address and telephone number of a caller to a public safety answering point; and
 - D. The name, address, telephone number and any medical information about a person receiving emergency services through the E-9-1-1 system.
3. To provide that audio recordings of emergency calls to the E-9-1-1 system are confidential and subject to limited disclosure, including pursuant to a court order on a finding of good cause. Nonconfidential information contained in those audio recordings would be disclosed in transcript form.

Committee Amendment "B" (H-356), the minority report of the committee proposed the same changes to the bill that the majority report proposed, except that it did not propose to make the audio recordings of E-9-1-1 calls confidential.

Senate Amendment "A" to Committee Amendment "A" (S-205) proposed to limit liability for cellular and wireless telecommunications service providers.

Senate Amendment "B" to Committee Amendment "A" (S-224) proposed to limit the liability of a cellular or wireless telecommunications provider to the same extent that a local exchange carrier's liability is deemed to be limited pursuant to the provisions of a tariff or schedule agreement.

Enacted law summary

Public Law 1997, chapter 291:

1. Cross-references the immunity provided under the Maine Tort Claims Act that is available to government entities. Immunity is not granted to any other person or entity associated with the E-9-1-1 system.
2. Provides that the following information contained in any database, report, audio recording or other record of the Emergency Services Communication Bureau or a public safety answering point is confidential and is subject to limited disclosure:
 - A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;
 - B. Customer information, described in the Maine Revised Statutes, Title 35-A, section 7501, subsection 1, that is omitted from a telephone utility directory list at the request of a customer;
 - C. The name, address and telephone number of a caller to a public safety answering point; and
 - D. The name, address, telephone number and any medical information about a person receiving emergency services through the E-9-1-1 system.
3. Provides that audio recordings of emergency calls to the E-9-1-1 system are confidential and subject to limited disclosure, including pursuant to a court order on a finding of good cause. Nonconfidential information contained in those audio recordings must be disclosed in transcript form.
4. Increases the membership of the E-9-1-1 Council from 15 to 17 members by adding a county official and a representative of the cellular or wireless service providers;
5. Creates a prohibition against repeated dialing of the emergency 9-1-1 number for nonemergency matters.
6. Limits the liability of a cellular or wireless telecommunications provider to the same extent that the liability of a local exchange carrier that processes the transmission of the E-9-1-1 service is limited pursuant to the provisions of a standard tariff or schedule agreement.

LD 1037

An Act to Modify the Prohibition against Bathing in Sebago Lake within 2 Miles of the Intakes of the Portland Water District

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACK	ONTP MAJ	
O'GARA	OTP MIN	

Current law prohibits bathing in Sebago Lake within 2 miles of the intakes of the Portland Water District. LD 1037 proposed to provide an exception for certain persons whose properties abut the lake within two miles of the intakes.

LD 1043 **An Act to Expand Local Calling Areas** **ONTP**

<u>Sponsor(s)</u> LANE		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1043 was a concept draft. The concept proposed was that each telephone local calling area include unlimited toll-free calling to contiguous local calling areas.

LD 1073 **An Act to Create the Tenants Harbor Standard Water District** **P & S 17
EMERGENCY**

<u>Sponsor(s)</u> SKOGLUND PINGREE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-131
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LD 1073 proposed to create the Tenants Harbor Standard Water District.

Committee Amendment "A" (H-131) This amendment proposed technical corrections to the bill.

Enacted law summary

Private and Special Law 1997, chapter 17 creates the Tenants Harbor Standard Water District. The law is effective on April 25, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 1093 **An Act to Provide the Entire State with Integrated Services Digital
Network Telecommunication** **ONTP**

<u>Sponsor(s)</u> LEMONT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1093 proposed to establish as telecommunications policy that the State consider methods of regulation that encourage the development and deployment of the Integrated Services Digital Network throughout the State.

LD 1215 **An Act to Restrict Telephone Solicitation** **ONTP**

<u>Sponsor(s)</u> AHEARNE PARADIS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1215, modeled on legislation enacted in Florida, proposed to amend the law governing telephone solicitation as follows:

1. Require a telephone solicitor to state his or her name and the business on whose behalf he or she is soliciting;
2. Permit telephone customers to be placed on a list indicating that the customer does not wish to receive unsolicited sales calls;
3. Prohibit telephone solicitors from making unsolicited sales calls to any telephone customers on the list;
4. Provide that contracts made pursuant to a telephone sales call are not enforceable unless certain conditions are met; and
5. Authorize the Attorney General to investigate complaints and bring actions for violations.

LD 1253

An Act to Amend the Charter of the Winterport Sewerage District

**P & S 32
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS LONGLLEY	OTP-AM	H-280 H-361 DAVIDSON

LD 1253 proposed to transfer title to public drains, storm water drains and catch basins within the Winterport Sewerage District to the Town of Winterport. The bill also proposed to grant to the Winterport Sewer District the same lien notice or collection rights available to sanitary districts under the Maine Revised Statutes, Title 38, section 1208.

Committee Amendment "A" (H-280) makes technical corrections.

House Amendment "A" (H-361), presented on behalf of the Committee on Engrossed Bills, corrects a reference to the Winterport Sewerage District.

Enacted law summary

Private and Special Law 1997, chapter 32 transfers title to public drains, storm water drains and catch basins within the Winterport Sewerage District to the Town of Winterport. The bill also grants to the Winterport Sewer District the same lien notice or collection rights available to sanitary districts under the Maine Revised Statutes, Title 38, section 1208. The law is effective on May 22, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 1294

**An Act to Clarify the Jurisdiction of the Public Utilities Commission
over Telecommunication Utilities' Special Rate Contracts**

PUBLIC 275

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY JONES K	OTP-AM	S-130

LD 1294 proposed to modify the Public Utilities Commission’s regulation of telephone utilities. The Maine Revised Statutes, Title 35-A, section 9102 permits the Public Utilities Commission discretion in applying those provisions of Title 35-A, chapter 3 that govern the establishment and modification of telephone utilities' rate schedules. Telephone utilities also establish rates by contracts with customers. This bill proposed to grant the Public Utilities Commission similar discretion to modify the application of requirements regarding approval of those contracts.

Committee Amendment "A" (S-130) makes a technical correction to the bill.

Enacted law summary

Public Law 1997, chapter 275 grants the Public Utilities Commission discretion to modify the application of requirements regarding approval of telecommunications rate contracts.

LD 1344

An Act to Create the Mt. Blue Standard Water District

**P & S 31
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT LAVERDIERE	OTP-AM	S-164

LD 1344 proposed to create the Mt. Blue Standard Water District.

Committee Amendment "A" (S-164) proposed to make technical corrections to the bill; clarify that the district is required to supply water to all existing customers of the Phillips Water Company; and modify the eligibility requirements for trustees of the new district.

Enacted law summary

Private and Special Law 1997, chapter 31 creates the Mt. Blue Standard Water District. The law is effective on May 20, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 1357

An Act to Enhance Public Knowledge of Nuclear Power

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS TREAT	ONTP	

LD 1357 proposed the following:

1. Require the Attorney General to establish a Maine Yankee Atomic Power Plant working group to monitor and respond to events involving or related to the plant that may impact the health, safety and welfare of the people of the State.
2. Require the seller of real estate located within the emergency planning area around a nuclear power plant to notify all prospective buyers of the proximity of the power plant to the real estate; and
3. Require the Radiological Emergency Preparedness Committee to include in its Emergency Radiological Response Plan the following: the marking of evacuation routes; the placement of emergency response placards in rental units located in the emergency response area around a nuclear power plant; the development of emergency preparedness programs for schools located in the emergency response area and quarterly broadcasts on television and radio providing emergency response instructions.

LD 1423

An Act Regarding Sewer District Upgrades

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE WRIGHT	ONTP	

LD 1423 proposed to change the formula governing utility eligibility for reimbursement from the Department of Transportation for the cost of utility relocation caused by highway and bridge projects.

LD 1539

Resolve, to Ensure a Reduction in Electric Power Rates in the Event of Electric Power Industry Restructuring

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE JENKINS	ONTP	

LD 1539 proposed to require a reduction of electric rates for residential and industrial customers in the event of electric industry restructuring. (See LD 1804.)

<u>Sponsor(s)</u> PENDLETON P	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-163
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LD 1598 proposed to authorize the Department of Public Safety to enforce the laws regarding the protection of underground utility facilities, commonly referred to as the "dig safe laws."

Committee Amendment "A" (S-163) proposed the following.

1. To change the standard for the imposition of civil penalties under the so-called "dig safe law;"
2. To authorize the underground facility damage prevention system to contract with county sheriffs or appropriate municipal law enforcement entities to issue civil summonses for violations of the "dig safe law;"
3. To authorize the owner of an underground facility to seek a temporary restraining order or an injunction to stop an excavation that is causing or is likely to cause damage to the owner's facilities.

Enacted law summary

Public Law 1997, chapter 229 does the following.

1. It changes the standard for the imposition of civil penalties under the so-called "dig safe law." Under current law, an excavator is subject to the penalty if the excavator fails to notify owners of underground facilities located in the area of a proposed excavation and in fact damages the underground facility. Under this amendment, the excavator is subject to the penalty if the excavator fails to provide the required notice, regardless of whether actual damages to the facility occur, or if the excavator undertakes an excavation in a reckless or negligent manner that poses a threat to underground facilities.
2. It authorizes the underground facility damage prevention system to contract with county sheriffs or appropriate municipal law enforcement entities to issue civil summonses for violations of the "dig safe law."
3. It authorizes the owner of an underground facility to seek a temporary restraining order or an injunction to stop an excavation that is causing or is likely to cause damage to the owner's facilities. If the owner or operator prevails in the action, the owner or operator is entitled to recovery of the costs of bringing the action.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS	OTP-AM MAJ OTP-AM MIN	H-666

LD 1649 proposed to add cellular and wireless communications subscribers to the potential users who must pay the monthly surcharge that funds the E-9-1-1 system. The bill also proposed to raise the monthly surcharge from 20¢ to 32¢ beginning August 1, 1998. The Emergency Services Communication Bureau would be required to report recommended surcharge adjustments and necessary legislative changes annually to the Joint Standing Committee on Utilities and Energy.

Committee Amendment "A" (H-666) This amendment, the majority report of the committee, proposed to make technical changes to the bill.

The amendment proposed to preserve the increase in the E-9-1-1 surcharge from 20¢ to 32¢ beginning August 1, 1998 but to repeal the E-9-1-1 surcharge 90 days after the adjournment of the First Regular Session of the 119th Legislature.

The amendment proposed to allow plantations to adopt ordinances to establish E-9-1-1 addressing standards.

Committee Amendment "B" (H-667) This amendment, the minority report of the committee, proposed to make technical changes to the bill.

The amendment proposed to keep the E-9-1-1 surcharge at 20¢ per line or number.

The amendment proposed to repeal the surcharge 90 days after the adjournment of the First Regular Session of the 119th Legislature.

The amendment proposed to allow plantations to adopt ordinances to establish E-9-1-1 addressing standards.

Enacted law summary

Public Law 1997, chapter 409 adds cellular and wireless communications subscribers to the potential users who must pay the monthly surcharge that funds the E-9-1-1 system. The bill also raises the monthly surcharge from 20¢ to 32¢ beginning August 1, 1998 but repeals the surcharge 90 days after the adjournment of the First Regular Session of the 119th Legislature. The Emergency Services Communication Bureau is required to report recommended surcharge adjustments and necessary legislative changes annually to the Joint Standing Committee on Utilities and Energy. The bill allow plantations to adopt ordinances to establish E-9-1-1 addressing standards.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT GAGNE	OTP-AM	S-239

LD 1665 proposed to allow the Hebron Water Company to convert to a nonprofit water company. The bill also proposed to prohibit the district from holding more than \$1,000,000 in property.

Committee Amendment "A" (S-239) proposed to remove the section of the bill that limited the Hebron Water Company's authority to hold property and to make a technical correction to the bill.

Enacted law summary

Private and Special Law 1997, chapter 36 allows the Hebron Water Company to convert to a nonprofit water company.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY		

LD 1732 proposes:

1. To introduce retail competition in the electric supply industry on January 1, 2000;
2. To provide for a standard service offer for consumers who do not opt to choose or are unable to choose their own provider;
3. To continue regulation of transmission and distribution companies;
4. To provide certain consumer protections in dealings with both regulated and unregulated electric companies;
5. To provide full recovery of utility stranded costs;
6. To require utilities to separate their generation facilities from their transmission and distribution facilities but to permit utilities to market and sell electric power;
7. To provide assistance to low-income customers;
8. To continue electricity conservation programs;
9. To require all energy providers to have renewable energy sources or buy renewable energy credits; and

10. To provide for securitization of stranded costs.

The bill was carried over to the Second Regular Session of the 118th Legislature.

See LD 1804.

LD 1770 An Act to Create the Pleasant River Standard Water District

**P & S 35
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER CASSIDY	OTP-AM	H-360

LD 1770 proposed to authorize the creation of the Pleasant River Standard Water District. The bill also proposed to repeal the authority for the creation of the Columbia Falls Water District, which was never created.

Committee Amendment "A" (H-360) proposed to make technical corrections to the bill.

Enacted law summary

Private and Special Law 1997, chapter 35 authorizes the creation of the Pleasant River Standard Water District and repeals the authority for the creation of Columbia Falls Water District. The law is effective on May 27, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 1771 An Act to Extend the Electric Rate Stabilization Program

**PUBLIC 492
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS CAREY	OTP-AM MAJ ONTP MIN	H-354

LD 1771 proposed to increase the amount of the moral obligation of the State that may be pledged to support electric rate stabilization projects from \$264,000,000 to \$330,000,000.

The bill proposed to expand the group of eligible borrowers to include qualifying facilities that are municipal solid waste facilities financed by industrial development or exempt facility bonds.

The bill proposed to extend from February 1, 1997 to February 1, 1998 the period during which certificates of approval may be issued.

Committee Amendment "A" (H-354), the majority report of the committee, proposed to specify that any amendments to rules required to implement the bill are routine technical rules.

Enacted law summary

Public Law 1997, chapter 492 increases the amount of the moral obligation of the State that may be pledged to support electric rate stabilization projects from \$264,000,000 to \$330,000,000; expands the group of eligible borrowers to include qualifying facilities that are municipal solid waste facilities financed by industrial development or exempt facility bonds; and extends from February 1, 1997 to February 1, 1998, the period during which certificates of approval may be issued. The law is effective on June 11, 1997, retroactive to February 1, 1997.

LD 1785

An Act to Provide for a Simplified Restructuring of the Electric Industry

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER PENDLETON P	ONTP	

LD 1785 proposed to permit retail competition in the electric industry beginning January 1, 2000 unless the Public Utilities Commission determined that the New England electric transmission system is not managed by an independent system operator or that a competitive energy market does not exist in the New England region.

The bill also proposed to require electric utilities to divest all their generation assets, other than interests in generation assets located outside the United States, qualifying facilities and interests in the Maine Yankee Atomic Power Company, by auction, on or before the effective date of retail competition. Beginning on the effective date of retail competition, electric utilities would have been limited to and regulated by the Public Utilities Commission as "transmission and distribution utilities" except that the electric utilities would be permitted to continue to market and sell at wholesale electric energy to which they are entitled under contracts with qualifying facilities and nuclear power plants. The Public Utilities Commission would have regulated those sales. The Public Utilities Commission would have been required to ensure that a transmission and distribution utility has a similar opportunity to recover uneconomic costs on or after the effective date of retail competition as it did before that date. Rates for transmission and distribution services would be fully unbundled from rates for other services and regulated by the commission.

It also proposed to create a mechanism for the creation of standard service offers for customers that do not wish to shop for power in the competitive market and impose on transmission and distribution utilities an obligation to connect to their systems, on request, any customer in their services territories.

It also proposed to prohibit entrance and exit fees.

It also proposed to permit the Public Utilities Commission to impose licensing conditions on competitive energy providers and to establish standards of conduct designed to protect consumers. Competitive energy providers would be otherwise exempt from regulation by the Public Utilities Commission. This bill proposed to permit the Public Utilities Commission to enforce antitrust and unfair trade practices laws as those laws may apply to competitive energy providers and transmission and distribution utilities and related entities.

See LD 1804.

LD 1788 **An Act to Require Notice to Telephone Subscribers of the Sale or Transfer of an Interexchange Carrier or a Change in Rates** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUNKER		

LD 1788 proposes to require a provider of interexchange telephone services to notify customers 30 days before selling or transferring ownership or changing rates. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1794 **An Act to Create a Competitive Market for Electricity While Protecting Consumers and the Environment** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS BENNETT	ONTP	

LD 1794 proposed to introduce by January 2000 competition in the supply of electricity to retail customers in Maine while preserving specific protections for customers in rural areas and for low-income customers, preserving policy goals of energy efficiency and reliance on renewable resources and protecting Maine's environment. The bill proposed to create a so-called standard offer service for customers who prefer not to pick an electricity supplier or are unable to do so.

The bill proposed to require Maine's electric utilities to sell off all generation assets, except ownership interests in the Maine Yankee Atomic Power Company and independent power contracts.

The bill also proposed a series of changes to the Maine Revised Statutes, Title 35-A.

See LD 1804.

LD 1798 **An Act to Permit Electric Utilities to Restructure in Ways That Improve the Economy of the State** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEXTER RAND	ONTP	

LD 1798 proposed to restructure the electric industry. The major provisions of the bill are these:

1. Proposed to establish a competitive market for purchases and sales of electricity beginning no later than January 1, 2000;
2. Proposed to establish mechanisms to ensure universal service and to protect low-income customers;

3. Proposed to require the Public Utilities Commission to provide incentives for energy conservation;
4. Proposed to permit electric utilities an opportunity to recover stranded costs; and
5. Proposed to establish an oversight committee to oversee the implementation of restructuring and to develop proposals to conform other provisions of law to the restructuring principles established by this bill.

See LD 1804.

LD 1804

An Act to Restructure the State's Electric Industry

PUBLIC 316

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES K CAREY	OTP-AM MAJ ONTP MIN	H-568

LD 1804 proposed to restructure the electric industry in the manner proposed by the Public Utilities Commission in its report to the Legislature of December 31, 1996. The bill proposed to establish retail competition for the purchase and sale of electricity beginning January 1, 2000; to require investor-owned electric utilities by

January 1, 2000 to transfer all generation-related assets and business functions, other than contracts with qualifying facilities, to distinct corporate entities; to require Central Maine Power Company and Bangor Hydro-Electric Company by January 1, 2000 to sell all their rights to capacity and energy under contracts with qualifying facilities; to require Central Maine Power Company and Bangor Hydro-Electric Company by January 1, 2006 to divest all generation-related assets and business functions, except ownership interests in the Maine Yankee Atomic Power Company and contracts with qualifying facilities; to require Central Maine Power Company and Bangor Hydro-Electric Company by January 1, 2006 to sell all rights to energy and capacity under any contracts with the Maine Yankee Atomic Power Company; to permit the Public Utilities Commission to require Maine Public Service Company to divest all generation-related assets and functions, except ownership interests in Maine Yankee Atomic Power Company and contracts with qualifying facilities; to preserve Public Utilities Commission regulation of transmission and distribution services; to permit electric utilities to recover legitimate, verifiable and unmitigable costs that are otherwise unrecoverable as a result of retail competition in the electric industry; to establish a standard-offer service to ensure access for all customers to reasonably priced electric power; to require the Public Utilities Commission to establish rules to protect consumers in the competitive market; to require the Public Utilities Commission to establish registration requirements and minimum business practice standards for competitive generation providers; to permit the Public Utilities Commission to enforce the Maine Unfair Trade Practices Act with respect to electric retail sales activities; to require the Public Utilities Commission to adopt rules that promote renewable resources and energy conservation; and to preserve low-income assistance programs funded through transmission and distribution rates but to direct that alternative funding mechanisms be proposed.

Committee Amendment "A" (H-568), which was the majority report of the committee, completely replaces the bill. The amendment proposed the following:

1. To establish retail competition for the purchase and sale of electricity beginning March 1, 2000;

2. To require Central Maine Power Company, Bangor Hydro-Electric Company and Maine Public Service Company by March 1, 2000 to divest all generation-related assets and business functions other than contracts with qualifying facilities and conservation providers, nuclear assets, facilities located outside the United States and assets the Public Utilities Commission determines necessary for the utility to provide efficient transmission and distribution services;
3. To allow the Public Utilities Commission to grant an extension to the divestiture deadline if the extension will likely improve the sale value of the assets;
4. To require utilities to sell the rights to the energy and capacity from the assets that are not divested;
5. To permit the Public Utilities Commission to require Central Maine Power Company, Bangor Hydro-Electric Company and Maine Public Service Company to divest their ownership interests in Maine Yankee Atomic Power Company on or after January 1, 2009;
6. To allow Central Maine Power Company and Bangor Hydro-Electric Company to market and sell electric power through separate but affiliated corporate entities, provided certain standards of conduct are met;
7. To cap the permissible market share acquired by marketing affiliates of Central Maine Power Company and Bangor Hydro-Electric Company within their respective transmission and distribution service territories at 33%;
8. To prohibit any entity or affiliate of an entity that purchases more than 10% of the stock of Central Maine Power Company or Bangor Hydro-Electric Company from providing competitive electric power service and provides that if the Public Utilities Commission determines the purchase results in a utility affiliate gaining unfair market advantage, the utility is required to divest its marketing affiliate;
9. To allow Maine Public Service Company to market and sell electricity through a separate, affiliated corporate entity in accordance with standards of conduct established by the Public Utilities Commission;
10. To require the Public Utilities Commission to determine the most efficient means of ensuring that all portions of the State are connected to the New England grid so that all portions of the State can take full advantage of competition;
11. To allow consumer-owned utilities to market and sell power only within their service territories and requires the Public Utilities Commission to limit or prohibit sales by competitors in consumer-owned-utilities' service territories if allowing such sales would cause these utilities to lose their tax-exempt status;
12. To cause billing and metering services to be subject to competition beginning March 1, 2002 and permits the Public Utilities Commission to establish an earlier beginning date for competition for billing or metering provided that the beginning date is no earlier than March 1, 2000;
13. To preserve Public Utilities Commission regulation of transmission and distribution services;

14. To permit electric utilities a reasonable opportunity to recover legitimate, verifiable and unmitigable costs that are otherwise unrecoverable as a result of retail competition in the electric industry;
15. To prohibit entry and exit fees;
16. To establish a standard-offer service to ensure access for all customers to reasonably priced electric power and prohibits affiliates of Central Maine Power Company and Bangor Hydro-Electric Company from providing standard offer service for more than 20% of the load within their respective service territories;
17. To establish consumer protection standards and requires the Public Utilities Commission to establish by rule further standards to protect consumers in the competitive market;
18. To establish licensing requirements for all competitive electricity providers;
19. To grant the Public Utilities Commission new enforcement authority to protect consumers;
20. To prohibit disconnection of service to consumers who fail to pay generation charges but permits disconnection of customers who fail to pay the standard-offer service charge;
21. To establish a 30% renewable resource portfolio requirement for competitive electricity providers;
22. To establish a program funded through voluntary contributions for renewable resource research and development;
23. To require the commission to establish a wires charge for funding conservation programs at a level comparable to the funding level in place in 1999;
24. To preserve low-income assistance programs funded through transmission and distribution rates but directs that alternative funding mechanisms be proposed;
25. To require electric bill charges to be unbundled beginning in 1999;
26. To require the Public Utilities Commission to adopt rules establishing a consumer education program and requires the commission to organize an advisory board to guide the development of the education program;
27. To require the Public Utilities Commission to monitor the development and conduct of the regional independent system operator and to advocate for Maine rate-payer interests at the Federal Energy Regulatory Commission with regard to issues concerning the independent system operator;
28. To require Central Maine Power Company, Bangor Hydro-Electric Company and Maine Public Service Company to offer certain transition services and benefits to employees displaced by electric industry competition and funds the costs of these services and benefits through a wires charge;
29. To require the Public Utilities Commission to annually report to the legislature on the implementation of retail access; and
30. To establish mechanisms to address contractual difficulties created by the restructuring of the electric industry.

Enacted law summary

Public Law 1997, chapter 316 restructures the electric industry and opens the retail purchase and sale of electricity to competition beginning March 1, 2000. It restructures the industry in the manner described above in the summary of the committee amendment.

LD 1871 **An Act to Authorize the Public Utilities Commission to Establish Reasonable Registration and Reporting Requirements and to Study Market Power Issues Associated with Electric Industry Restructuring** **PUBLIC 447
EMERGENCY**

<u>Sponsor(s)</u> CAREY JONES K		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-327
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LD 1871 proposed that any contract made after the effective date of the bill with an unregistered provider is void.

Part A of the bill proposed to require any entity that contracts or attempts to contract with any consumer for the provision of electric generation service in anticipation of electric industry restructuring to be registered with the Public Utilities Commission.

Part B of the bill proposed to require the Public Utilities Commission and the Department of the Attorney General to conduct a study of market power issues related to electric industry restructuring.

Committee Amendment "A" (S-327) proposed technical corrections to the bill to make it clear that the registration requirements apply to prospective providers of retail electric service.

Enacted law summary

Public Law 1997, chapter 447 requires any entity that contracts or attempts to contract with any consumer for the provision of retail electric service in anticipation of electric industry restructuring to be registered with the Public Utilities Commission. A contract made with an unregistered provider is void.

It also requires the Public Utilities Commission and the Department of the Attorney General to conduct a study of market power issues related to electric industry restructuring. The law is effective on June 10, 1997.

LD 1873 **An Act to Increase the Debt Limit of the Vinalhaven Water District** **P & S 42
EMERGENCY**

<u>Sponsor(s)</u> PINGREE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-316
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LD 1873 proposed to increase the debt limit of the Vinalhaven Water District from \$400,000 to \$1,500,000.

Committee Amendment "A" (S-316) proposed to make a technical change and to allow the Vinalhaven Water District to increase its debt limit by referendum vote without further Legislative authorization in the same manner that standard water districts are authorized to increase their debt limits.

Enacted law summary

Private and Special Law 1997, chapter 42 increases the debt limit of the Vinalhaven Water District from \$400,000 to \$1,500,000 and allows the Vinalhaven Water District to further increase its debt limit by referendum vote without further Legislative authorization in the same manner that standard water districts are authorized to increase their debt limits. The law is effective on June 10, 1997 for the purposes of allowing it to be put out for local referendum approval.

LD 1875 An Act to Permit the Public Utilities Commission to Grant an Emergency Rate Increase ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES K CAREY	ONTP	

LD 1875 proposed to permit the Public Utilities Commission to grant a utility an emergency rate increase subject to refund if the commission later determines that all or a portion of the emergency increase was unwarranted. The bill proposed that this provision would apply to proceedings pending before the commission at the time of enactment.

LD 1899 An Act Regarding the Restructuring of Contracts between Public Utilities and Qualifying Facilities PUBLIC 558

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY	OTP	

LD 1899 proposed to amend the electric industry restructuring legislation (see LD 1804) by adding an exception to the requirement that each investor-owned electric utility divest all generation assets and generation-related business activities on or before March 1, 2000. The exception is for a contract with a party other than a qualifying facility or affiliated interest entered into solely for the purpose of restructuring a contract with a qualifying facility

Enacted law summary

Public Law 1997, chapter 558 amends the electric restructuring legislation (see LD 1804) to expand the exceptions to the divestiture requirement to include contracts with parties other than qualified facilities that are entered into solely for the purpose of restructuring a contract with a qualifying facility.

Joint Standing Committee on Utilities and Energy

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Not Enacted

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Electricity Restructuring

Enacted

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E-9-1-1

Enacted

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Not Enacted

None

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Enacted

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Enacted

None

Not Enacted

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Nuclear

Enacted

None

Not Enacted

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PUC/Public Advocate

Enacted

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Not Enacted

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Telecommunications

Enacted

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LD 371	An Act to Clarify the Definition of Qualified School for Telecommunications Network Purposes	PUBLIC 169	Page 3

LD 735	An Act to Permit the Public Utilities Commission to Suspend Rate Regulation of Certain Telephone Utilities	PUBLIC 276	Page 8
LD 812	An Act to Require the Public Utilities Commission to Align Telecommunications Carrier Access Rates with Costs to Foster Economic Development and Competition throughout the State	PUBLIC 259	Page 11
LD 1294	An Act to Clarify the Jurisdiction of the Public Utilities Commission over Telecommunication Utilities' Special Rate Contracts	PUBLIC 275	Page 17
 <u>Not Enacted</u>			
LD 233	An Act to Regulate Telephone Directory Entries	ONTP	Page 1
LD 366	An Act to Require Regular Disclosure of Low-cost Telephone Calling Plans to Telephone Customers	ONTP	Page 2
LD 382	An Act to Prohibit the Public Utilities Commission from Directing Utility Overcharges to Any Program Other Than Repayment to Ratepayers	ONTP	Page 4
LD 858	An Act to Expand Basic Service Calling Areas to Include All Municipalities within a School Administrative Unit	ONTP	Page 12
LD 894	An Act to Guarantee Wider Local Calling Access to Every Telephone Exchange in the State	ONTP	Page 12
LD 919	Resolve, to Review and Reform the Public Utilities Commission Order Related to School Access to Electronically Transmitted Information	ONTP	Page 12
LD 928	An Act to Deregulate Intrastate Long-distance Calling	ONTP	Page 13
LD 1043	An Act to Expand Local Calling Areas	ONTP	Page 15
LD 1093	An Act to Provide the Entire State with Integrated Services Digital Network Telecommunication	ONTP	Page 16
LD 1215	An Act to Restrict Telephone Solicitation	ONTP	Page 16

LD 1788 **An Act to Require Notice to Telephone Subscribers of the Sale or Transfer of an Interexchange Carrier or a Change in Rates** **CARRIED OVER** **Page 24**

Water and Sewer Charter Changes

Enacted

LD 221	An Act to Amend the Charter of the Madison Water District	P & S 8	Page 1
LD 529	An Act to Conform the Lien Procedures Within the Charter of Boothbay Harbor Sewer District to Statutory Lien Procedures	P & S 14	Page 5
LD 667	An Act to Create and Incorporate the Jackman Utility District by Merger of the Jackman Water District and the Jackman Sewer District	P & S 30 EMERGENCY	Page 6
LD 724	An Act to Amend the Charter of the Portland Water District	P & S 15 EMERGENCY	Page 7
LD 805	An Act to Create the Oquossoc Standard Water District	P & S 21 EMERGENCY	Page 9
LD 807	An Act to Amend the Charter of the Winthrop Utilities District	P & S 16	Page 10
LD 935	An Act to Increase the Debt Limit of the Waldoboro Utility District	P & S 18 EMERGENCY	Page 13
LD 1073	An Act to Create the Tenants Harbor Standard Water District	P & S 17 EMERGENCY	Page 16
LD 1253	An Act to Amend the Charter of the Winterport Sewerage District	P & S 32 EMERGENCY	Page 17
LD 1344	An Act to Create the Mt. Blue Standard Water District	P & S 31 EMERGENCY	Page 18
LD 1665	An Act to Amend the Charter of the Hebron Water Company	P & S 36	Page 21
LD 1770	An Act to Create the Pleasant River Standard Water District	P & S 35 EMERGENCY	Page 22

LD 1873	An Act to Increase the Debt Limit of the Vinalhaven Water District	P & S 42 EMERGENCY	Page 28
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Not Enacted

LD 499	An Act to Amend the Charter of the Canton Water District	ONTP	Page 4
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LD 1037	An Act to Modify the Prohibition against Bathing in Sebago Lake within 2 Miles of the Intakes of the Portland Water District	ONTP	Page 15
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Water and Sewer (other than charter changes)

Enacted

None

Not Enacted

LD 224	An Act Regarding Charges Assessed against Owners of Sprinkler Systems	CARRIED OVER	Page 1
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LD 767	An Act to Clarify Sanitary District and Sewer District Authority to Adopt Impact Fees	ONTP	Page 9
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LD 1423	An Act Regarding Sewer District Upgrades	ONTP	Page 19
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