

Annual List of Rule-Making Activity
Rules Adopted January 1, 2016 to December 31, 2016
Prepared by the Secretary of State, pursuant to 5 MRS, §8053-A, sub-§5

Agency name: Public Utilities Commission
Umbrella-Unit: 65-407
Statutory authority: 35-A MRS §§ 104, 111, 10110(4-A)
Chapter number/title: Ch. 396, Efficiency Maine Trust Procurement Funding Cap (*New*)
Filing number: 2016-015
Effective date: 2/1/2016
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The Public Utilities Commission adopts Ch. 396, *Efficiency Maine Trust Procurement Funding Cap*, which establishes the process and requirements by which the Commission will determine the statutory cap of 4% of the total retail electricity and transmission and distribution sales for the procurement of electric energy efficiency resources pursuant to Title 35-A §10110(4-A).

Basis statement / summary:

This chapter establishes the process and requirements for determining and applying the statutory cap on transmission and distribution utility rates for procurement of energy efficiency resources.

Fiscal impact of rule:

Minimal.

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Agency name: Public Utilities Commission
Umbrella-Unit: 65-407
Statutory authority: 23 MRS §3360-A; 35-A MRS §§ 104, 111; PL 2015 ch. 213
Chapter number/title: Ch. 895, Underground Facility Damage Prevention Requirements
Filing number: 2016-042
Effective date: 3/14/2016
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The Public Utilities Commission adopts amendments to the Commission's *Underground Facilities Damage Prevention Requirements* rule (Ch. 895) pursuant to recently enacted legislation (PL 2015 ch. 213).

Basis statement / summary:

This rule describes the responsibilities of excavators, underground facility operators, the damage prevention system (Dig Safe System, Inc.), and the Public Utilities Commission in implementing Maine's underground facility damage prevention statute. The rule establishes notification, marking, and reporting procedures, defines violations and penalties, and describes the process by which the Public Utilities Commission will enforce the program and monitor its success.

Fiscal impact of rule:

Minimal.

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Agency name: Public Utilities Commission
Umbrella-Unit: 65-407
Statutory authority: 35-A MRS §§ 101, 111, 7225, 7225-A
Chapter number/title: Ch. 201, Provider of Last Resort Service Quality
Filing number: 2016-200
Effective date: 11/26/2016
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The Public Utilities Commission adopts amendments to Ch. 201 which incorporate changes mandated by the enactment of PL 2015 ch. 462, *An Act to Increase Competition and Ensure a Robust Information and Telecommunications Market* (“the Act”). The amendments to Ch. 201 reflect the provisions contained in Section 5 of the Act.

Basis statement / summary:

The factual and policy basis for this rule is set forth in the Commission's Order Amending Rule, Docket No. 2016-00095, issued on November 14, 2016 and Order Adopting Final Rule, Docket No. 2012-00401, issued on June 26, 2014. Copies of the Statement and Order have been filed with this rule at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

Fiscal impact of rule:

No fiscal impact.

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Agency name: **Public Utilities Commission**
Umbrella-Unit: **65-625**
Statutory authority: 25-A MRS §2927(3-C)
Chapter number/title: **Ch. 5** (*New*), Standards for the Implementation and Administration of Emergency Fire Dispatch Protocols
Filing number: **2016-146**
Effective date: 9/3/2016
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

Pursuant to PL 2015 ch. 230, the Public Utilities Commission adopts a new rule of the Emergency Services Communications Bureau's Rules (65-625 CMR ch 5). Chapter 5 adopts and implements standardized protocols for 9-1-1 fire dispatch.

Basis statement / summary:

The factual and policy basis for this rule is set forth in the Commission's Order Adopting Rule and Statement of Factual and Policy Basis, Docket No. 2016-00063, issued on August 8, 2016. Copies of the Order and Statement have been filed with this rule at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

Fiscal impact of rule:

No fiscal impact