

**Annual List of Rulemaking Activity**  
**Rules Adopted January 1, 2022 to December 31, 2022**  
*Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5*

**Agency name:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 104, 111, 3203  
**Chapter number/title:** **Ch. 305**, Licensing Requirements, Annual Reporting, enforcement and Consumer Protection Provisions for Competitive Provision of Electricity  
**Filing number:** **2022-133**  
**Effective date:** 7/13/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to Chapter 305 of its rules, which governs the licensing requirements, annual reporting, enforcement, and consumer protection provisions for the competitive provision of electricity. The amended rule conforms Chapter 305 to recent legislative changes regarding competitive electricity providers (CEPs), the door-to-door marketing of retail energy supply, and the registration of third-party sales agents. The Commission also adopts amendments to improve customer protection standards regarding the marketing practices of CEPs, to provide consistency and clarity, and to reflect the current electronic filing practices of the Commission.

**Basis statement:**

The factual and policy basis for this rule is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00396, issued on June 2, 2022. 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:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 104, 111, 1301, 3209-B  
**Chapter number/title:** **Ch. 313**, Customer Net Energy Billing  
**Filing number:** **2022-207**  
**Effective date:** 10/17/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission initiates a proceeding to amend its Net Energy Billing (NEB) rule (Chapter 313) as required to reflect recently enacted legislation.

**Basis statement:**

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. 2022-00185, issued on May 3, 2022. 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:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 104, 111, 704, 1308, 3214  
**Chapter number/title:** **Ch. 314**, Statewide Low-income Assistance Plan  
**Filing number:** **2022-096**  
**Effective date:** 5/28/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to its *Statewide Low-income Assistance Plan* rule (Chapter 314) to expand program eligibility.

**Basis statement:**

The factual and policy basis for this rule is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00400, issued on May 3, 2022. 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:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 104, 111, 301(1-A), 2305-A, 3104-A, 3106  
**Chapter number/title:** **Ch. 320**, Electric Transmission and Distribution Utility Service Standards  
**Filing number:** **2022-158**  
**Effective date:** 8/27/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to the Commission's *Electric Transmission and Distribution Utility Service Standards* rule (Chapter 320). The amendments include substantial modifications to better measure and motivate improved performance in the areas of service quality and customer service, as well as for other aspects of investor-owned transmission and distribution (T&D) utilities' performance. The amended rule also complies with recently enacted legislation that provides for minimum service standards and a "report card" for T&D utilities.

**Basis statement:**

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. 2022-00052, issued on July 29, 2022. 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:**

Minimal fiscal impact.

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**Agency name:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 104, 111, 3482  
**Chapter number/title:** **Ch. 324**, Small Generator Interconnection Procedures  
**Filing number:** **2022-002**  
**Effective date:** 1/9/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to the Commission's *Small Generator Interconnection Procedures* rule (ch. 324). This adoption follows an Inquiry conducted by the Commission. The Inquiry was initiated in a February 9, 2021 Notice of Inquiry and was conducted for the limited purpose of gathering information regarding (1) the screening process for interconnecting Level 2 generating facilities, and (2) potential penalties for utility non-compliance with the timing and schedule requirements of ch. 324.

**Basis statement:**

The factual and policy basis for this rule is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00167, issued on December 21, 2021. 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:**

Minimal.

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**Agency name:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 111, 4508, 4515, 4516-A, 4705-A  
**Chapter number/title:** **Ch. 420**, Safety Standards for Natural Gas and Liquefied Natural Gas Facility Operators  
**Filing number:** **2022-167**  
**Effective date:** 9/5/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to ch. 420, *Safety Standards for Natural Gas and Liquefied Natural Gas Facility Operators*. These amendments are intended to update and modernize the Commission's gas safety rules.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the MPUC's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2022-00155, issued on August 23, 2021. Copies of the Order have been filed with this chapter 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:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §6114  
**Chapter number/title:** **Ch. 615**, Exemptions from Regulatory Requirements for Consumer-Owner Water Utilities  
**Filing number:** **2022-252**  
**Effective date:** 12/26/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopted amendments to Ch. 615, *Exemptions from Regulatory Requirements for Consumer-Owned Water Utilities*. With these amendments, the Commission expands the methods by which consumer-owned water utilities may provide notice to customers of a pending request for specific exemption. The Commission is also adopting non-substantive editorial amendments to the rule.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2022-00237, issued on November 22, 2022. Copies of the Order have been filed with this chapter 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:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §6114  
**Chapter number/title:** **Ch. 616**, Specific Exemptions from Regulatory Requirements for Consumer-Owner Water Utilities  
**Filing number:** **2022-253**  
**Effective date:** 12/26/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopted amendments to Ch. 616, *Specific Exemptions from Regulatory Requirements for Consumer-Owned Water Utilities*. In this rule, the Commission exempts consumer-owned water utilities from the newspaper publication requirements in 35-A MRS §§ 6104 and 6104-A. The Commission also intends to include future generally applicable exemptions granted by Commission order in this rule.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the Commission's Order Adopting Rule and Statement of Factual and Policy Basis, Docket No. 2022-00243, issued on November 22, 2022. Copies of the Order have been filed with this chapter 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:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §611  
**Chapter number/title:** **Ch. 620** (formerly Chapter 62), Service Standards for Water Utilities  
**Filing number:** **2022-254**  
**Effective date:** 12/26/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopted amendments to Ch. 620, *Service Standards for Water Utilities* of the Commission's rules. The adopted amendments are intended to add provisions for Maine's water utilities to more effectively respond to water supply emergencies, better reflect modern metering technology and make changes to sections which cover service lines, seasonal service, service interruptions, low pressure areas, and conditions of service. In addition, the Commission updated and modernized the rule, including changing the designation of the rule from Chapter 62 to Chapter 620 to conform with the Commission's current rule organization conventions and adopted other non-substantive editorial amendments.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00334, issued on November 16, 2022. Copies of the Order have been filed with this chapter 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:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 104, 111, 704, 1308; PL 2021 ch. 347  
**Chapter number/title:** **Ch. 815**, Consumer Protection Standards for Electric and Gas Transmission and Distribution Utilities  
**Filing number:** **2022-003**  
**Effective date:** 1/9/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to the Commission's Consumer Protection Standards for Electric and Gas (ch. 815). The adopted amendments address notice requirements during the winter disconnection period, as directed by *An Act to Protect Maine Electricity Customers from Threats of Disconnection in the Wintertime*, Public Law 2021 ch. 347 §1.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00266, issued on December 20, 2021. 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:**

Minimal impact.

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**Agency name:** Maine Public Utilities Commission (PUC)  
**Umbrella-Unit:** 65-407  
**Statutory authority:** 35-A MRS §§ 35-A MRS §§ 101, 104, 111, 301, 304, 705(3)  
**Chapter number/title:** Ch. 850, Regulatory Proceeding Expenses  
**Filing number:** 2022-159  
**Effective date:** 8/27/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to its *Regulatory Proceeding Expenses* rule. The adopted amendments update the rule to be more in accordance with recent Commission practice and include a change to the way regulatory proceeding expenses are determined and calculated for inclusion in rates.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the Commission's Order Adopting Rule and Statement of Factual and Policy Basis, Docket No. 2021-00072, issued on August 3, 2022. 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:**

Minimal fiscal impact.

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**Agency name:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 35-A MRS §§ 101, 104, 111, 301, 304, 705(3)  
**Chapter number/title:** **Ch. 870**, Late Payment Charges, Interest Rates to be Paid on Customer Deposits, and Charges for Returned Checks  
**Filing number:** **2022-095**  
**Effective date:** 5/28/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to *its Late Payment Charges, Interest Rates to be Paid on Customer Deposits, and Charges for Returned Checks* (Chapter 870). The primary amendment is the adoption of a fixed percentage of 1% a month or 12% annually for the maximum late payment charge that replaces a maximum interest charged based on the Prime Rate plus a fixed adder. In addition, the amended rule exempts customers adhering to terms of a payment arrangement from late payment charges.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00359, issued on April 27, 2022. 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:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 35-A MRS §§ 104, 111, 122  
**Chapter number/title:** **Ch. 886** (*Repeal*), Energy Infrastructure Corridors  
**Filing number:** **2022-226**  
**Effective date:** 11/26/2022  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission repeals Chapter 886 of the Commission's rules (65-407 ch. 886), which sets forth rules governing the designation and use of energy infrastructure corridors, because the Commission no longer regulates these matters.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the Commission's Order Repealing Rule, Docket No. 2022-00222, issued on October 18, 2022. 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.