



126th MAINE LEGISLATURE

SECOND REGULAR SESSION-2014

Legislative Document

No. 1816

H.P. 1303

House of Representatives, March 12, 2014

**An Act To Address Recommendations from the Report by the Office
of Program Evaluation and Government Accountability Regarding
the Public Utilities Commission**

Reported by Representative KRUGER of Thomaston for the Government Oversight
Committee pursuant to the Maine Revised Statutes, Title 3, section 997, subsection 2.

Reference to the Committee on Energy, Utilities and Technology suggested and ordered
printed pursuant to Joint Rule 218.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §1701, sub-§2**, as enacted by PL 1987, c. 141, Pt. A, §6, is
3 amended to read:

4 **2. Staff of the Public Advocate.** The staff of the Public Advocate ~~shall consist~~
5 consists of such other personnel, including staff attorneys, as the Public Advocate
6 determines necessary to represent and advise the using and consuming public, as required
7 by ~~subsection~~ section 1702. All such personnel ~~shall be~~ are appointed, supervised and
8 directed by the Public Advocate. The Public Advocate is not subject to the supervision,
9 direction or control of the ~~chairman~~ chair or members of the commission.

10 **Sec. 2. 35-A MRSA §1701, sub-§3, ¶¶E and F**, as enacted by PL 1999, c. 259,
11 §4, are amended to read:

12 E. Business Services Manager, salary range 26; ~~and~~

13 F. Special Assistant to the Public Advocate, salary range 20-; and

14 **Sec. 3. 35-A MRSA §1701, sub-§3, ¶G** is enacted to read:

15 G. Consumer Advisor, salary range 25.

16 This paragraph is repealed June 30, 2015.

17 **Sec. 4. 35-A MRSA §1702, sub-§11** is enacted to read:

18 **11. Advice to using and consuming public.** The Public Advocate may advise a
19 member of the using and consuming public regarding participation in proceedings before
20 the commission.

21 **Sec. 5. Report.** By February 1, 2015, the Public Advocate shall submit a report to
22 the joint standing committee of the Legislature having jurisdiction over energy and
23 utilities matters regarding the performance, duties and funding of the consumer advisor
24 under the Maine Revised Statutes, Title 35-A, section 1701, subsection 3, paragraph G.
25 The joint standing committee may submit a bill related to the subject matter of the report
26 to the First Regular Session of the 127th Legislature.

27 **SUMMARY**

28 This bill creates a temporary consumer advisor position in the Office of the Public
29 Advocate to advise citizens participating in proceedings before the Public Utilities
30 Commission. The position is established to address a recommendation in the Office of
31 Program Evaluation and Government Accountability's 2013 report on the Public Utilities
32 Commission that the Public Utilities Commission and the Public Advocate explore ways
33 to facilitate consumers' ability to effectively represent themselves in adjudicatory
34 proceedings before the Public Utilities Commission. This bill also requires the Public
35 Advocate to report to the joint standing committee of the Legislature having jurisdiction
36 over energy and utilities matters on the performance, duties and funding of the consumer
37 advisor.

