1	L.D. 441
2	Date: (Filing No. S-)
3	ENERGY, UTILITIES AND TECHNOLOGY
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	126TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10	COMMITTEE AMENDMENT "" to S.P. 173, L.D. 441, "Resolve, Directing the Public Utilities Commission To Develop a Plan To Reform Water Regulation"
11	Amend the bill by striking out the title and substituting the following:
12 13	'Resolve, Directing the Public Utilities Commission To Develop a Plan To Reform Regulation of Consumer-owned Water Utilities'
14 15	Amend the resolve by striking out everything after the title and before the summary and inserting the following:
16 17 18 19	'Sec. 1. Regulatory reform plan. Resolved: That the Public Utilities Commission, referred to in this resolve as "the commission," shall develop a plan to reform regulation of consumer-owned water utilities in the State in accordance with the following.
20	1. The plan must be consistent with the following:
21	A. Regulatory burdens must be the minimum necessary to protect the public welfare;
22 23 24	B. Regulatory reform may not relieve any provider from complying with environmental obligations under either state or federal law, including but not limited to those relating to the safety of drinking water;
25 26 27	C. Regulatory reform may make distinctions between consumer-owned water utilities based on the utilities' available resources and expertise, as well as on the form of local governance;
28 29 30 31	D. Regulatory reform must ensure the continued adequacy of consumer protection regulation, including the maintenance of appropriate limitations on disconnection and collection practices, and must ensure that consumers have adequate mechanisms available to them to resolve complaints fairly and promptly; and
32 33 34	E. Regulatory reform must provide a mechanism that ensures that the rates charged by each consumer-owned water utility are just and reasonable, pursuant to the standards of the Maine Revised Statutes, Title 35-A, section 301.

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- 2. In developing the plan, the commission shall:
   A. Seek input from interested parties representing diverse geographic areas of the State but is not required to conduct an adjudicatory proceeding;
- B. Ensure that the interests of consumer-owned water utilities and their ratepayers are protected with regard to the provision of, and charges for:
  - (1) Municipal fire protection;
  - (2) Water main extensions; and

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(3) Consumer-owned water utilities' readiness to serve charges;

9 C. Examine the current regulatory structure in accordance with the requirements in 10 subsection 1 and may not presume existing laws and rules are appropriately designed 11 for the current environment and the needs of consumer-owned water utilities and 12 their ratepayers;

- D. Define and quantify the implications of the potential outcomes of implementingthe plan; and
- E. Consider stakeholder comments that are not supportive of regulation reform of consumer-owned water utilities and include those viewpoints as part of its report under subsection 3.
- 18 3. The commission shall submit its report including the plan to the Joint Standing 19 Committee on Energy, Utilities and Technology no later than January 31, 2014. The report must describe necessary changes to law, rules or procedures and any other 20 21 necessary actions to implement the plan. To the maximum extent practicable, the 22 commission shall establish target dates for implementation of the elements of the plan no 23 later than 90 days after the adjournment of the Second Regular Session of the 126th 24 Legislature. The commission shall include with the report a draft of any legislation 25 necessary to implement the plan and, consistent with the requirements of the Maine 26 Revised Statutes, Title 5, chapter 375, changes to rules necessary to implement the plan.
- The Joint Standing Committee on Energy, Utilities and Technology may report out a bill
  to reform regulation of consumer-owned water utilities to the Second Regular Session of
  the 126th Legislature; and be it further
- 30 Sec. 2. Action on filings. Resolved: That, consistent with the purposes of this 31 resolve and the requirements in section 1, the commission shall process any filings 32 submitted by consumer-owned water utilities for exemptions under the Maine Revised 33 Statutes, Title 35-A with as much deliberate speed as possible, within the constraints of 34 existing resources.'
- 35 **SUM**I

## SUMMARY

This amendment replaces the resolve and directs the Public Utilities Commission to develop a plan to reform regulation of consumer-owned water utilities. It changes the date for the commission to report to the Joint Standing Committee on Energy, Utilities and Technology from December 31, 2013 to January 31, 2014. It also directs the commission to continue to process any filings submitted by consumer-owned water

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- utilities for exemptions under the laws governing utilities with as much deliberate speed 1 as possible, within the constraints of existing resources. 2
- FISCAL NOTE REQUIRED 3 4
  - (See attached)

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