**§3102. Recovery of cost of canceled or abandoned electric generating facility or transmission or distribution plant**

**1. Determining rate-making treatment.**  In determining the rate-making treatment for a utility's investment in a canceled or abandoned electric generating facility or transmission or distribution plant, the commission shall balance the interests of the utility and ratepayers in a just and reasonable manner in each individual case. The commission may not permit a utility to recover in rates any costs incurred imprudently in relation to an investment in a canceled or abandoned electric generating facility or transmission or distribution plant.

[PL 1999, c. 398, Pt. A, §43 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**2. Canceled or abandoned generating facility or transmission or distribution plant.**  As used in this section, the term "canceled or abandoned generating facility or transmission or distribution plant" means any electric generating facility or transmission or distribution plant canceled or abandoned by the owner or by the joint participants in the facility in accordance with the terms of applicable agreements or otherwise.

[PL 1999, c. 398, Pt. A, §43 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**3. Exception.**

[PL 1999, c. 398, Pt. A, §43 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**4. This section not intended to indicate preference.**

[PL 1999, c. 398, Pt. A, §43 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**5. Canceled plant recovery filing fee.**

[PL 1999, c. 398, Pt. A, §43 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 1987, c. 490, §A4 (AMD). PL 1999, c. 398, §A43 (AMD). PL 1999, c. 398, §§A104,105 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.