



# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 285

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H.P. 201

House of Representatives, February 1, 2021

**An Act To Protect Utility Customers from Investor Risk for Costs  
Incurred Due to a Disaster**

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Received by the Clerk of the House on January 28, 2021. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BERRY of Bowdoinham.

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

2 **Sec. 1. 35-A MRSA §3109** is enacted to read:

3 **§3109. Limitation on rates; recovery of costs associated with disaster response**

4 The commission may not permit an investor-owned transmission and distribution  
5 utility to recover in rates any costs incurred by the utility as a result of a disaster as defined  
6 in Title 37-B, section 703, subsection 2, regardless of whether or not the utility receives  
7 federal assistance in paying those costs. The commission may adopt rules to implement this  
8 section. Rules adopted pursuant to this section are routine technical rules as defined in Title  
9 5, chapter 375, subchapter 2-A.

10 **SUMMARY**

11 This bill prohibits an investor-owned transmission and distribution utility from  
12 recovering in rates any costs incurred by the utility as a result of a disaster regardless of  
13 whether or not the utility receives federal assistance in paying those costs. It allows the  
14 Public Utilities Commissioner to adopt routine technical rules to implement this provision.