

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

‘**Sec. 1. 35-A MRSA §310, sub-§3**, as amended by PL 1999, c. 398, Pt. A, §14 and affected by §§104 and 105, is further amended to read:

**3. Exception: Municipal and quasi-municipal water utilities and consumer-owned transmission and distribution utilities.** This section does not apply to:

A. Municipal or quasi-municipal corporations that are water utilities within the definition of section 102, any provisions in any charter notwithstanding, and that elect to proceed pursuant to the terms of section 6104, unless by the express terms of section 6104 the provisions of this section are made applicable to those corporations; ~~or~~

A-1. Municipal or quasi-municipal corporations that are water utilities within the definition of section 102, any provisions in any charter notwithstanding, and that file a change in a schedule pursuant to section 307 that changes rates, tolls or charges for service other than the provision of water, only if the cumulative revenue impact of all such changes that become effective within any consecutive 12-month period does not exceed 1% of the utility's total annual revenue; or

B. Consumer-owned transmission and distribution utilities organized in accordance with chapter 35, unless by the express terms of chapter 35 the provisions of this section are made applicable to those districts.’

## SUMMARY

This amendment replaces the bill. The amendment clarifies the exception to the laws that require that rate changes of consumer-owned water utilities be subject to suspension, investigation, hearing or rate substitution by the Public Utilities Commission that is proposed in the bill. The exception is limited to changes in rates or charges for services other than the provision of water, as in the bill. The amendment specifies that the cumulative effect of such changes over a 12-month period may not exceed 1% of total annual revenue. The amendment also places the exception in a more relevant section of the law.

## FISCAL NOTE REQUIRED

(See attached)