



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 177

H.P. 118

House of Representatives, January 13, 2023

**An Act to Amend the Authority of the Public Utilities Commission
Regarding Special Rate Contracts**

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative FOSTER of Dexter.

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

2 **Sec. 1. 35-A MRSA §1311-A, sub-§1, ¶F**, as enacted by PL 1997, c. 691, §5 and
3 affected by §10, is amended to read:

4 F. Notwithstanding any other provision of this subsection:

5 (1) The commission may deny all parties, including the commission and its staff,
6 access to information if the commission finds that the potential for harm from
7 disclosure of the information outweighs its probative value in the proceeding; ~~and~~

8 (2) The commission may deny an attorney access to information under protective
9 order if the commission finds that the attorney's request for access to the
10 information is not made in good faith or that the attorney will not respect the terms
11 of the protective order; ~~and~~

12 (3) The commission may deny or limit access to information if the commission
13 finds that a party or attorney may be able to use the information in future contract
14 negotiations with a utility to gain an unfair negotiating advantage, including
15 negotiations for special rates under section 703.

16 **SUMMARY**

17 This bill allows the Public Utilities Commission to deny or limit access to information
18 if a party or attorney may be able to use the information in future contract negotiations with
19 a utility to gain an unfair negotiating advantage.