



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1405

H.P. 927

House of Representatives, April 1, 2025

**An Act to Amend Laws Governing the Public Utilities Commission
Concerning Participant Funding**

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

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative FOSTER of Dexter.
Cosponsored by Representatives: GEIGER of Rockland, MCINTYRE of Lowell, Senator:
HARRINGTON of York.

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

2 **Sec. 1. 35-A MRSA §117, sub-§3, ¶B**, as amended by PL 2023, c. 143, §§1 to 3,
3 is further amended by amending subparagraph (4) to read:

4 (4) To supplement the telecommunications education access fund established
5 pursuant to section 7104-B; or

6 **Sec. 2. 35-A MRSA §117, sub-§3, ¶B**, as amended by PL 2023, c. 143, §§1 to 3,
7 is further amended by amending subparagraph (5) to read:

8 (5) To supplement any other program or fund that the commission determines
9 would benefit customers affected or potentially affected by the violation; ~~or.~~

10 **Sec. 3. 35-A MRSA §117, sub-§3, ¶B**, as amended by PL 2023, c. 143, §§1 to 3,
11 is further amended by repealing subparagraph (6).

12 **Sec. 4. 35-A MRSA §1310-A**, as amended by PL 2023, c. 143, §4, is further
13 amended to read:

14 **§1310-A. Intervenor ~~and participant~~ funding**

15 **1. Qualification for funding.** Consistent with rules adopted by the commission
16 pursuant to subsection 3, the commission may order or provide funding in accordance with
17 subsection 2 to an intervenor ~~in an adjudicatory proceeding or a participant in a~~
18 ~~nonadjudicatory~~ commission proceeding upon a finding that:

19 A. The position of the intervenor ~~or participant~~ is not adequately represented by the
20 Office of the Public Advocate or commission staff;

21 B. The intervenor ~~or participant~~ is likely to substantially contribute to the proceeding
22 and to assist in the resolution of the issues raised in the proceeding; and

23 C. Participation in the proceeding by the intervenor ~~or participant~~ would impose a
24 significant financial hardship on the intervenor ~~or participant~~.

25 **2. Funding sources.** If the commission finds pursuant to subsection 1 that an
26 intervenor ~~or participant~~ in a commission proceeding qualifies for funding, the commission
27 may, ~~except as provided in subsection 2-A and~~ consistent with rules adopted by the
28 commission pursuant to subsection 3:

29 A. Order a utility involved in the commission proceeding to compensate the intervenor
30 ~~or participant~~. Compensation provided by a utility under this paragraph may be
31 recovered in rates; or

32 B. Provide compensation to the intervenor ~~or participant~~ from the Public Utilities
33 Commission Regulatory Fund established pursuant to section 116, ~~administrative~~
34 ~~penalties~~ and filing fees, subject to the commission's determination that funds are
35 available for that purpose.

36 **2-A. Water utility exception.** ~~If the commission finds, pursuant to subsection 1, that~~
37 ~~an intervenor or participant in a commission proceeding involving a water utility qualifies~~
38 ~~for funding, the commission may, consistent with rules adopted by the commission, provide~~
39 ~~compensation to the intervenor or participant only from administrative penalties within the~~
40 ~~Public Utilities Commission Reimbursement Fund in accordance with section 117,~~
41 ~~subsection 3, paragraph B, subparagraph (6).~~

