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ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 927, L.D. 1405, “An Act to Amend Laws Governing the Public Utilities Commission Concerning Participant Funding”

Amend the bill by striking out the title and substituting the following:

'An Act to Amend Laws Governing the Public Utilities Commission Concerning Participant and Intervenor Funding'

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

'Sec. 1. 35-A MRSA §1310-A, sub-§1, as amended by PL 2023, c. 143, §4, is further amended to read:

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

- A. The position of the intervenor or participant is not adequately represented by the Office of the Public Advocate or commission staff;
- B. The intervenor or participant is likely to substantially contribute to the proceeding and to assist in the resolution of the issues raised in the proceeding; ~~and~~
- C. Participation in the proceeding by the intervenor or participant would impose a significant financial hardship on the intervenor or participant; ~~and~~
- D. The intervenor or participant is an individual acting in a personal capacity rather than in a business or professional capacity.

Sec. 2. 35-A MRSA §1310-A, sub-§3, ¶A, as amended by PL 2023, c. 143, §4, is further amended by amending subparagraph (3) to read:

- (3) The process by which the commission will ensure that funding provided to an intervenor or participant is used properly and the process by which funding

COMMITTEE AMENDMENT

1 provided to an intervenor or participant that is not entirely used by the intervenor
2 or participant may be recovered by the commission; ~~and~~

3 **Sec. 3. 35-A MRSA §1310-A, sub-§3, ¶A**, as amended by PL 2023, c. 143, §4, is
4 further amended by amending subparagraph (4) to read:

5 (4) The methods by which the commission will ensure that the public is notified
6 about the availability of intervenor and participant funding under this section: ~~and~~

7 **Sec. 4. 35-A MRSA §1310-A, sub-§3, ¶A**, as amended by PL 2023, c. 143, §4, is
8 further amended by enacting a new subparagraph (5) to read:

9 (5) The method by which the commission will allow a group of more than one
10 individual to seek and qualify for intervenor or participant funding jointly, as long
11 as each individual is acting in a personal capacity rather than in a business or
12 professional capacity.'

13 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
14 number to read consecutively.

15 SUMMARY

16 This amendment replaces the bill and changes the title. It limits an intervenor or a
17 participant seeking funding to participate in a Public Utilities Commission adjudicatory
18 proceeding or nonadjudicatory proceeding to an individual acting in a personal capacity
19 rather than in a business or professional capacity. It requires the commission to adopt rules
20 that include the method by which the commission will allow a group of more than one
21 individual to seek and qualify for intervenor or participant funding jointly, as long as each
22 individual is acting in a personal capacity rather than in a business or professional capacity.

23 FISCAL NOTE REQUIRED

24 (See attached)