

**Annual List of Rulemaking Activity**  
**Rules Adopted January 1, 2021 to December 31, 2021**  
*Prepared by the Secretary of State pursuant to 5 MRS §8053-A sub-§5*

**Agency name:** Maine Public Utilities Commission (PUC)  
**Umbrella-Unit:** 65-407  
**Statutory authority:** 35-A MRS §111  
**Chapter number/title:** Ch. 62, Service Standards for Water Utilities  
**Filing number:** 2021-190  
**Effective date:** 9/21/2021  
**Type of rule:** Routine Technical  
**Emergency rule:** Yes

**Principal reason or purpose for rule:**

The Public Utilities Commission amends its *Service Standards for Water Utilities* rule (Chapter 62) pursuant to emergency rulemaking procedures set forth in 5 M.S §8054. The purpose of the amendments is to provide guidance and procedures for water utilities who need to curtail customer water usage in a water supply emergency. The emergency amendments are informed by comments received in response to a Commission Staff notice of inquiry into possibly amending Chapter 62 to address water supply emergencies anticipated before the end of the calendar year. In addition, the Commission closes its inquiry in Docket No. 2021-00201.

**Basis statement:**

The factual and policy basis for this rule is set forth in the Commission's Order Adopting Emergency Rule, Docket No. 2021-00271, issued on September 10, 2021. Copies of this Statement and Order have been filed with this rule at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 101 Second Street, Hallowell, Maine 04347; 18 State House Station, Augusta, Maine 04333-0018.

**Fiscal impact of rule:**

None.

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**Agency name:** Maine Public Utilities Commission (PUC)  
**Umbrella-Unit:** 65-407  
**Statutory authority:** 35-A MRS §§ 111, 7101, 7104  
**Chapter number/title:** Ch. 294, Lifeline  
**Filing number:** 2021-152  
**Effective date:** 8/2/2021  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to Ch. 294, *Lifeline* of the Commission's rules. Specifically, the Commission amends Chapter 294 to clarify that Eligible Telecommunications Carriers (ETCs) are currently, in certain circumstances, designated by the Federal Communications Commission (FCC) and not by the Commission. The Commission also makes clarifying and non-substantive editorial amendments to Chapter 294.

**Basis statement:**

The factual and policy basis for this rule is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00045, issued on July 20, 2021. Copies of the Statement and Order have been filed with this Chapter at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

**Fiscal impact of rule:**

No fiscal impact.

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**Agency name:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 104, 111, 1301, 3203(9), 3210, 3210-B;  
PL 2021 ch. 199  
**Chapter number/title:** **Ch. 311**, Portfolio Requirement  
**Filing number:** **2021-235**  
**Effective date:** 11/21/2021  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to its Renewable Portfolio Standard (RPS) rule (Chapter 311) as required to implement recently enacted legislation related to the new thermal renewable energy RPS. The amendments also make some cleanup edits to the rule.

**Basis statement:**

The factual and policy basis for this rule is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00213, issued on November 4, 2021. Copies of the Statement and Order have been filed with this rule at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

**Fiscal impact of rule:**

No fiscal impact.

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**Agency name:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 104, 111, 1301, 3209-A, 3209-B  
**Chapter number/title:** **Ch. 313**, Customer Net Energy Billing  
**Filing number:** **2021-245**  
**Effective date:** 12/14/2021  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to its Net Energy Billing (NEB) rule (Chapter 313) as required by recently enacted legislation.

**Basis statement:**

The factual and policy basis for this rule is set forth in the Commission's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2021-00253, issued on November 29, 2021. Copies of the Statement and Order have been filed with this rule at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

**Fiscal impact of rule:**

No fiscal impact.

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**Agency name:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 111, 4508, 4515, 4516-A, 4705-A  
**Chapter number/title:** **Ch. 420**, Safety Standards for Natural Gas and Liquefied Natural Gas Facility Operators  
**Filing number:** **2021-066**  
**Effective date:** 3/31/2021  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to ch. 420, *Safety Standards for Natural Gas and Liquefied Natural Gas Facility Operators*. These amendments are intended to update and modernize the Commission's gas safety rules.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the MPUC's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2020-00282, issued on March 10, 2021. Copies of the Order have been filed with this chapter at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

**Fiscal impact of rule:**

No fiscal impact.

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**Agency name:** **Maine Public Utilities Commission (PUC)**  
**Umbrella-Unit:** **65-407**  
**Statutory authority:** 35-A MRS §§ 111, 301, 711, 2301, 2501, 2524, 7903, 8302  
**Chapter number/title:** **Ch. 880**, Attachments to Joint-Use Utility Poles; Determination and Allocation of Costs; Procedure  
**Filing number:** **2021-085**  
**Effective date:** 4/26/2021  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission adopts amendments to ch. 880 of the Commission's Rules regarding attachments to joint use utility poles. Specifically, the Commission amended ch. 880 to implement "one-touch make ready" (OTMR) in Maine and to incorporate into ch. 880 procedures and policies regarding unused (or "abandoned") joint use utility poles in public rights-of way.

**Basis statement:**

The factual and policy basis for this chapter is set forth in the MPUC's Order Amending Rule and Statement of Factual and Policy Basis, Docket No. 2020-00281, issued on April 8, 2021. Copies of the Order have been filed with this chapter at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

**Fiscal impact of rule:**

No fiscal impact.

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**Agency name:** Maine Public Utilities Commission (PUC)  
**Umbrella-Unit:** 65-407  
**Statutory authority:** 23 MRS §3360-A; 35 MRS §§ 104, 111  
**Chapter number/title:** Ch. 895, Underground Facility Damage Prevention Requirements  
**Filing number:** 2021-144  
**Effective date:** 8/5/2021  
**Type of rule:** Major Substantive  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The Public Utilities Commission finally adopts amendments to its *Underground Facility Damage Prevention Requirements* rule (ch. 895) as required to implement recently enacted legislation (Resolves 2021 ch. 16).

**Basis statement:**

The factual and policy basis for this chapter is set forth in the MPUC's Order Provisionally Adopting Rule and Statement of Factual and Policy Basis, Docket No. 2020-00264, issued on January 6, 2021. Copies of the Statement and Order have been filed with this rule at the Office of the Secretary of State. Copies may also be obtained from the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018.

**Fiscal impact of rule:**

No fiscal impact.