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ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 534, L.D. 754, Bill, “An Act To Repeal or Clean Up Outdated Telecommunications Statutes”

Amend the bill by inserting after the enacting clause and before section 1 the following:

'Sec. 1. 35-A MRSA §303, as amended by PL 1987, c. 613, §2, is further amended to read:

§303. Valuation of property for fixing rates

In determining just and reasonable rates, tolls and charges, the commission shall fix a reasonable value upon all the property of a public utility and upon an electric plant to the extent paid for by the utility on the premises of any of its customers, ~~which~~ that is used or required to be used in its service to the public within the State and a fair return on that property. In fixing a reasonable value, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use and the prudent acquisition cost to the utility, less depreciation on each, and any other material and relevant factors or evidence, but the other factors ~~shall~~ may not include current value. In making a valuation, the commission may consult reports, records or other information available to it in the office of any state office or board.

This section does not apply to a price cap ILEC as defined in section 7102, subsection 6-A.'

Amend the bill by striking out all of section 3 and inserting the following:

'Sec. 3. 35-A MRSA §7101-B, sub-§4 is enacted to read:

4. Access rates. The commission shall ensure that intrastate access rates are just and reasonable and consistent with federal law. The commission may adopt rules to implement this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

Amend the bill by inserting after section 5 the following:

COMMITTEE AMENDMENT

