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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

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

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

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

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

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

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

SUMMARY

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

FISCAL NOTE REQUIRED

(See attached)