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Date: (Filing No. S-)

ENERGY, UTILITIES AND TECHNOLOGY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

130TH LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 194, L.D. 487, “An Act Regarding Certain Employees of and To Allow Supplemental Funding for the Public Advocate”

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

'An Act Regarding Certain Employees of and To Provide for the Payment of Certain Filing Fees to the Public Advocate'

Amend the bill by striking out all of section 1 and inserting the following:

'Sec. 1. 35-A MRSA §708, sub-§4-A is enacted to read:

4-A. Filing fee to Office of the Public Advocate. When an applicant pays a filing fee to the commission pursuant to subsection 4, the applicant shall, at the same time, pay to the Office of the Public Advocate a filing fee not to exceed 3/100 of 1% of the total transaction value of the reorganization, as determined by the commission, if the office determines that the application may involve issues that would necessitate significant additional costs to the office. The applicant may request the Office of the Public Advocate to waive all or a portion of the filing fee. The Office of the Public Advocate shall decide on the waiver request within 30 days.

Filing fees paid as required under this subsection must be segregated, apportioned and expended by the Office of the Public Advocate for the purposes of representing the interests of consumers in the proceeding before the commission or conducting public outreach to inform consumers about the proceeding. The Office of the Public Advocate shall return any portion of the filing fee that is not expended for these purposes to the applicant who paid the fee.'

Amend the bill by inserting after section 2 the following:

'Sec. 3. 35-A MRSA §3132, sub-§10-A, as amended by PL 2019, c. 177, §1, is further amended to read:

10-A. Filing fee to Office of the Public Advocate. When a person pays a filing fee to the commission pursuant to subsection 9, the person shall, at the same time, pay to the Office of the Public Advocate an amount equal to 2/100 of 1% of the estimated cost to

COMMITTEE AMENDMENT

1 erect, rebuild or relocate the transmission line, except that in the case of a petition filed
2 under subsection 2, the fee is 3/100 of 1%. If the Office of the Public Advocate's expenses
3 in the transmission line proceeding exceed the amount of the original filing fee, the Office
4 of the Public Advocate may bill the person monthly for additional incurred expenses. The
5 person may, at the time of the filing of the petition under this section, request the Office of
6 the Public Advocate to waive all or a portion of the filing fee. The Office of the Public
7 Advocate shall decide on the waiver request within 30 days.

8 Filing fees paid as required under this subsection must be segregated, apportioned and
9 expended by the Office of the Public Advocate for the purposes of representing the interests
10 of consumers in the proceeding before the commission or conducting public outreach to
11 inform consumers about the proceeding. The Office of the Public Advocate shall return
12 any portion of the filing fee that is not expended for these purposes to the person who paid
13 the fee.'

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

16 SUMMARY

17 This amendment, which is the majority report of the committee, changes the title of the
18 bill and does the following.

19 1. It removes from the bill the provision authorizing the Public Advocate to legally
20 accept funds from sources other than an assessment on utilities for the purpose of carrying
21 out the Public Advocate's statutory duties.

22 2. It retains the provision in the bill that changes the title of the Business Services
23 Manager position to Senior Assistant to the Public Advocate to clarify that a person in the
24 position may perform duties aside from business-related duties.

25 3. It requires the payment of a filing fee to the Office of the Public Advocate by an
26 applicant for approval of a reorganization by the Public Utilities Commission, not to exceed
27 3/100 of 1% of the total transaction value of the reorganization, to be expended by the
28 Public Advocate in representing the interests of consumers in the reorganization proceeding
29 or conducting public outreach to inform consumers about the proceeding.

30 4. It requires that, in the case of a petition for approval by the Public Utilities
31 Commission of the erection of a transmission line capable of operating at 69 kilovolts or
32 more, the person filing the petition must pay to the Office of the Public Advocate a filing
33 fee equal to 3/100 of 1% of the estimated cost to erect that transmission line, to be expended
34 by the Public Advocate in representing the interests of consumers in the petition proceeding
35 or conducting public outreach to inform consumers about the proceeding. Under current
36 law, the filing fee in such cases to be paid to the Office of the Public Advocate is equal to
37 2/100 of 1% of the estimated cost to erect such a transmission line.

38 FISCAL NOTE REQUIRED

39 (See attached)