

### §314. Private line extensions

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Line" means an electric distribution line, including poles and other related structures. [PL 2001, c. 201, §1 (NEW).]  
[PL 2001, c. 201, §1 (NEW).]

**2. Standards for private lines.** The commission shall by rule establish standards for the construction of a line by a person other than a transmission and distribution utility. The rules:

A. Must establish standards for the construction of lines. The commission may establish different standards in different transmission and distribution utility territories. The standards must be the same as the standards that would apply if the transmission and distribution utility in whose territory the line is constructed built the line unless there are compelling public safety reasons for applying different standards. If these standards and any other reasonable conditions established by the commission are met, a transmission and distribution utility may not refuse to connect the line to the utility's system or to deliver energy over the line; [PL 2001, c. 201, §1 (NEW).]

B. Must establish terms and conditions for transferring the ownership of a line to a transmission and distribution utility. The rules may establish a requirement that certain types of lines, lines under certain conditions, or lines in certain locations, such as lines located in the public way, must be transferred to the transmission and distribution utility; and [PL 2001, c. 201, §1 (NEW).]

C. May require that a person that is not a transmission and distribution utility that constructs a line meet minimum qualifications established or approved by the commission. [PL 2001, c. 201, §1 (NEW).]  
[PL 2001, c. 201, §1 (NEW).]

**3. Apportionment of costs of line extensions.** The commission shall adopt rules establishing requirements for apportioning the costs of a single-phase overhead line extension among persons who take service through the line after the construction of the line. The commission may provide for exemptions from the apportionment methodology established by the commission for any transmission and distribution utility that petitions the commission for an exemption and establishes to the satisfaction of the commission that the transmission and distribution utility's apportionment methodology adequately serves the public interest and balances competing interests of customers.  
[PL 2001, c. 201, §1 (NEW).]

**4. Lines constructed in the public way.** Nothing in this section or rules adopted under this section limits the application of section 2305-B to any line constructed in a public way.  
[RR 2001, c. 1, §44 (COR).]

**5. Submission of rules.** Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter II-A and must be submitted to the Legislature for review no later than February 1, 2002.  
[PL 2001, c. 201, §1 (NEW).]

#### SECTION HISTORY

RR 2001, c. 1, §44 (COR). PL 2001, c. 201, §1 (NEW).

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