



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 971

H.P. 717

House of Representatives, March 9, 2021

**An Act To Require the Public Utilities Commission To Open an
Inquiry Regarding Notification of the Sale of an Investor-owned
Transmission and Distribution Utility**

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative BERRY of Bowdoinham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §1101, sub-§5** is enacted to read:

3 **5. Local control considerations.** The commission shall consider the potential benefits
4 of providing more local control over electricity service and whether local control is feasible
5 before issuing an order of authorization for the sale or merger of an investor-owned
6 transmission and distribution utility. The commission may adopt rules to implement this
7 subsection. Rules adopted pursuant to this subsection are routine technical rules as defined
8 in Title 5, chapter 375, subchapter 2-A.

9 **Sec. 2. Notification of transmission and distribution utility sale; Public**
10 **Utilities Commission inquiry.** The Public Utilities Commission shall open an inquiry
11 to examine and make recommendations regarding a process to provide timely notification
12 to all entities authorized to own a transmission and distribution plant in the State of any
13 proposed sale of an investor-owned transmission and distribution utility and to provide the
14 opportunity for the notified entities to bid on the sale. The commission shall submit a report
15 on the results of this inquiry to the Joint Standing Committee on Energy, Utilities and
16 Technology by February 1, 2022. The Joint Standing Committee on Energy, Utilities and
17 Technology may, after receipt of the report under this section, submit legislation related to
18 the report to the Second Regular Session of the 130th Legislature.

19 **SUMMARY**

20 This bill requires the Public Utilities Commission to consider the potential benefits of
21 providing more local control over electricity service and whether local control is feasible
22 before issuing an order of authorization for the sale or merger of an investor-owned
23 transmission and distribution utility. It allows the commission to adopt routine technical
24 rules to implement this proposed change.

25 This bill also directs the commission to open an inquiry to examine and make
26 recommendations regarding a process to provide timely notification to entities authorized
27 to own a transmission and distribution plant in the State of any proposed sale of an investor-
28 owned transmission and distribution utility and to provide the opportunity for the notified
29 entities to bid on the sale. It requires the commission to submit the results of this inquiry to
30 the Joint Standing Committee on Energy, Utilities and Technology by February 1, 2022.