

**Chapter 330: FILING REQUIREMENTS FOR PETITIONS FOR  
CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY  
FOR ELECTRIC TRANSMISSION FACILITIES AND  
STANDARDS FOR GRANTING CERTIFICATES**

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**SUMMARY:** This rule establishes filing requirements pursuant to 35-A M.R.S.A. § 3132 for petitions for certificates of public convenience and necessity for the construction of new transmission lines of 100 kilovolts or more, and for amendments to agreements regarding such construction. This rule also establishes filing requirements for rebuilding and relocating transmission lines of 100 kilovolts or more. In addition, this rule establishes filing requirements for petitions for certificates of public convenience and necessity for the construction by a utility or non-utility of new transmission lines of 69 kilovolts or more that are financed, permitted, constructed, owned or operated by the Northern Maine Transmission Corporation or financed by the Finance Authority of Maine.

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**9. FINAL ORDERS AND STANDARDS FOR GRANTING CERTIFICATES**

**A. Final Order, Finding of Public Need.**

In accordance with 35-A M.R.S.A. § 3132(6), the Commission will make specific findings with regard to the need for the proposed transmission line in its order deciding whether to issue a certificate of public convenience and necessity. If the Commission finds a public need for the proposed transmission line exists, it shall issue a certificate of public convenience and necessity for the transmission line.

**B. Public Need Defined.**

The Commission establishes public need by determining that ratepayers will benefit by the proposed transmission line. Benefits are determined based upon the electrical need for the line, taking into account economics, safety and reliability. The proposed transmission line must be reasonable compared to the other alternatives. Cost is an important consideration, but public need can be established for a proposed transmission line that is not the least cost alternative because aesthetic, environmental or other factors justify a reasonable cost increase. Public need of a transmission line proposed by a non-utility, and for which a certificate of public convenience and necessity is required by 35-A M.R.S.A. § 3132(2) and this rule, shall be determined in

the same manner that the Commission determines public need for a  
transmission line proposed by a transmission and distribution utility.  
(emphasis added)