

APPROVED

CHAPTER

APRIL 30, 2019

19

BY GOVERNOR

RESOLVES

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND NINETEEN

H.P. 159 - L.D. 196

Resolve, Regarding Legislative Review of Portions of Chapter 320: Electric Transmission and Distribution Utility Service Standards, a Major Substantive Rule of the Public Utilities Commission

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, a major substantive rule has been submitted to the Legislature for review; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Adoption. Resolved: That final adoption of portions of Chapter 320: Electric Transmission and Distribution Utility Service Standards, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in section 3, subsection D to require utilities to keep all records for 10 years, rather than 6 years; and

2. The rule must be amended in section 5, subsection C, paragraphs 1 and 2 to require that each investor-owned transmission and distribution utility maintain and report System Average Interruption Duration Index, in addition to Consumer Average Interruption Duration Index and System Average Interruption Frequency Index, and amended in

paragraph 3 to clarify that the Annual Reliability Reports provide information for the Metrics listed in section 5, subsection C, paragraph 1.

The Public Utilities Commission is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.