**State of Maine: Notice of Agency Rulemaking – April 7, 2021**

**PROPOSALS**

AGENCY: **65-407 – Maine Public Utilities Commission (MPUC)**

CHAPTER NUMBER AND TITLE: **Ch. 294**, Lifeline

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2021-P058**

BRIEF SUMMARY: The Public Utilities Commission initiates a rulemaking to amend ch. 294, *Lifeline*, of the Commission’s rules. The proposed amendments are intended to clarify that Eligible Telecommunications Carriers (ETCs) may be designated by either the Commission or the Federal Communications Commission (FCC). The Commission is also proposing other clarifying and non-substantive editorial amendments.

PUBLIC HEARING: No public hearing. *The Commission will schedule a public hearing in this matter if requested by five interested persons. Such requests must be filed in the above captioned Docket using the Commission's Case Management System (CMS) no later than Friday, April 16, 2021.*

COMMENT DEADLINE: May 21, 2021. Interested persons may file written comments on the proposed Rule in CMS, in Docket No. 2021-00045, no later than May 21, 2021. All comments will appear in CMS.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Jody McColman, Maine Public Utilities Commission, 18 State House Station, Augusta, Maine 04333. Telephone: (207) 287-1365. Email: Jordan.D.McColman@Maine.gov .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact.

STATUTORY AUTHORITY FOR THIS RULE: 35-A MRS §§ 111, 7101, 7104

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED *(if different)*:

MPUC WEBSITE: [www.maine.gov/mpuc](http://www.maine.gov/mpuc) .

MPUC RULEMAKING LIAISON: Jamie.A.Waterbury@Maine.gov .

AGENCY: **13-188 - Department of Marine Resources (DMR)**

CHAPTER NUMBER AND TITLE: **Ch. 24**, Importation of Live Marine Organisms

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2021-P059**

BRIEF SUMMARY: On February 14, 2021, DMR implemented an emergency rule because routine health surveillance confirmed the presence of MSX (*Haplosporidium nelsoni*) in Quahog Bay. MSX is a microscopic parasite that affects the health and survival of the American oyster (*Crassostrea virginica*) resource but does not pose a risk to consumers or human health. This proposed rulemaking would continue the American oyster restricted area within Quahog Bay and Ridley Cove in Harpswell, Maine adopted under the emergency rule. The movement or transfer of American oysters greater than 3 mm in size, from the restricted area to other waters of the state, is prohibited without a permit from DMR. Persons are required to obtain a permit for the movement, but not harvest, of shellfish from restricted areas to ensure a reasonable degree of certainty that the movement will not endanger the indigenous marine life or its environment in accordance with ch. 24.05.

PUBLIC HEARING: None scheduled

COMMENT DEADLINE: May 7, 2021

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Amanda Ellis, DMR, 21 State House Station, Augusta, Maine 04333-0021. Telephone: (207) 624-6573. Fax: (207) 624-6024. TTY: (207) 624-6500 (Deaf/Hard of Hearing). Email: dmr.rulemaking@maine.gov .

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None

STATUTORY AUTHORITY FOR THIS RULE: 12 MRS §6071

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: Same

DMR RULEMAKING WEBSITE: <http://www.maine.gov/dmr/rulemaking/> .

DMR WEBSITE: <https://www.maine.gov/dmr/index.html> .

DMR RULEMAKING LIAISON: Deirdre.Gilbert@Maine.gov .

**ADOPTIONS**

AGENCY: **17-229 – Maine Department of Transportation (MDOT)**

CHAPTER NUMBER AND TITLE: **Ch. 210**, Utility Accommodation Rules

ADOPTED RULE NUMBER: **2021-067**

CONCISE SUMMARY: These changes are primarily intended to improve the clarity and intent of the existing rules and address the following areas: The use of a geotextile with crushed stone backfill; traffic control for short-term wire crossings; aerial attachments to existing poles; services to corner lots; service consolidation for new installations with multiple highway crossings; and, underground service lines located on the highway side of ditches. An additional section addressing the potential designation of replaced or out-of-service poles as public safety hazards is also included.

EFFECTIVE DATE: April 5, 2021

MDOT CONTACT PERSON: Michael Moreau, Department of Transportation, 16 State House Station, Augusta, ME 04333. Telephone: (207) 624-3365. Email: Michael.Moreau@Maine.gov .

MDOT WEBSITE: <https://www.maine.gov/mdot/> .

MDOT RULEMAKING LIAISON: Toni.Kemmerle@Maine.gov .