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Date: (Filing No. H-)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 882, L.D. 1191, Bill, “An Act To Encourage Business Development by Limiting the Time a Utility May Hold a Business Customer's Deposit”

Amend the bill by striking out the title and substituting the following:

'Resolve, To Encourage Business Development by Creating Limits on the Time Certain Utilities May Hold a Business Customer’s Deposit'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Rules on business customers' deposits. Resolved: That the Public Utilities Commission shall amend its rule, Chapter 815: Consumer Protection Standards For Electric And Gas Transmission And Distribution Utilities, to require that deposits paid by small businesses with impeccable bill-paying histories be returned to those businesses after a reasonable time period. The commission may consider establishing different rules for different-sized utilities to account for differences in the risk to other ratepayers associated with defaults by businesses. The commission may consider basing eligibility for return of a deposit on the size of the deposit that was required of the business, such as a business whose deposit was less than \$10,000. The commission shall establish a reasonable time period, such as 5 years, before a business is eligible for a return of the deposit. Rules adopted pursuant to this section are major substantive rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A and must be provisionally adopted by January 15, 2012.'

SUMMARY

This amendment replaces the bill with a resolve that directs the Public Utilities Commission to amend its rules to require that deposits paid by small businesses with impeccable bill-paying histories be returned to those businesses after a reasonable time period. The commission may consider establishing different rules for different-sized utilities to account for differences in the risk to ratepayers associated with defaults by

COMMITTEE AMENDMENT

1 businesses. The commission may consider basing eligibility for return of a deposit on the
2 size of the deposit that was required of the business, such as a business whose deposit
3 was less than \$10,000. The commission is directed to establish a reasonable time period,
4 such as 5 years, before a business is eligible for a return of the deposit. Rules adopted
5 pursuant to this resolve are major substantive rules pursuant to the Maine Revised
6 Statutes, Title 5, chapter 375, subchapter 2-A and must be provisionally adopted by
7 January 15, 2012.

8 **FISCAL NOTE REQUIRED**

9 **(See attached)**