

§2102. Approval to furnish service

The following provisions apply to furnishing service. [PL 1987, c. 141, Pt. A, §6 (NEW).]

1. Approval required. Except as provided in subsection 2 and in section 4507, a public utility may not furnish any of the services set out in section 2101 in or to any municipality in or to which another public utility is furnishing or is authorized to furnish a similar service without the approval of the commission. The commission may condition approval upon the submission of a bond or other financial security if the commission determines that such a requirement is necessary to ensure that a public utility has the financial ability to meet its obligations under this Title.

A. [PL 2011, c. 623, Pt. A, §17 (RP).]
[PL 2011, c. 623, Pt. A, §17 (AMD).]

2. Approval not required. Except as provided in section 2104, the commission's approval is not required for a public utility to furnish service in any municipality in which that public utility is furnishing service on October 8, 1967. Approval is not required for a transmission and distribution utility to distribute electricity to any other transmission and distribution utility.
[PL 2011, c. 623, Pt. A, §17 (AMD).]

2-A. Northern Maine Transmission Corporation.
[PL 2003, c. 506, §11 (RP).]

3. Exemption for certain telephone utilities. The provisions of this section do not apply to any telephone utility except a provider of provider of last resort service with respect to the provision of provider of last resort service and a local exchange carrier.

A. [PL 2011, c. 623, Pt. A, §17 (RP).]
B. [PL 2011, c. 623, Pt. A, §17 (RP).]
C. [PL 2011, c. 623, Pt. A, §17 (RP).]
[PL 2011, c. 623, Pt. A, §17 (AMD).]

4. Dark fiber provider.
[PL 2011, c. 623, Pt. A, §17 (RP).]

5. Exemption for certain private electric facilities. The provisions of this section do not apply to the construction of a transmission line, together with all associated equipment and facilities, that is constructed, owned and operated by a generator of electricity for the purpose of electrically and physically interconnecting that generator to a commercial or industrial consumer of the electricity that is located on:

A. The property where the entity that generates the electricity is located or on abutting property; or [PL 2019, c. 205, §3 (NEW).]
B. A commercial or industrial site that was served by the entity that generates the electricity or its predecessor without using the transmission and distribution plant of a public utility prior to December 31, 2018. [PL 2019, c. 205, §3 (NEW).]
[PL 2019, c. 205, §3 (NEW).]

SECTION HISTORY

PL 1987, c. 141, §A6 (NEW). PL 1991, c. 342, §4 (AMD). PL 1997, c. 118, §1 (AMD). PL 1997, c. 569, §1 (AMD). PL 1997, c. 569, §2 (AFF). PL 1999, c. 398, §A30 (AMD). PL 1999, c. 398, §§A104, 105 (AFF). PL 1999, c. 513, §7 (AMD). PL 2003, c. 505, §28 (AMD). PL 2003, c. 506, §11 (AMD). PL 2007, c. 638, §1 (AMD). PL 2009, c. 612, §§5, 6 (AMD). PL 2011, c. 623, Pt. A, §17 (AMD). PL 2019, c. 205, §3 (AMD).

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