

**§2104. Commission approval for gas companies to furnish service**

**1. Approval of commission required; generally.** Except as provided in subsection 2, a gas utility may not furnish its service in or to any municipality within the State without the approval of the commission.

[PL 2001, c. 124, §1 (NEW).]

**2. Approval not required; no other utility serving.** Notwithstanding section 2102 or 2105, a gas utility authorized to furnish service and serving customers within the State is not required to obtain the approval of the commission to serve in any municipality in which no other gas utility is furnishing similar service unless the commission, in an order issued pursuant to subsection 3, specifically provides otherwise.

[PL 2001, c. 124, §1 (NEW).]

**3. Limited grant of authority.** The commission, in an order granting authorization to a person to operate, manage or control a gas utility in any municipality in this State, may expressly limit the area in which the gas utility may provide service without further approval of the commission only if:

A. The commission finds that the financial and technical capacity of the gas utility is limited in a manner that public convenience and necessity require such limited authorization; or [PL 2001, c. 124, §1 (NEW).]

B. The person seeking authorization requests that the authorization be limited to a particular area. [PL 2001, c. 124, §1 (NEW).]

[PL 2001, c. 124, §1 (NEW).]

**SECTION HISTORY**

PL 1987, c. 141, §A6 (NEW). PL 1997, c. 707, §3 (AMD). PL 2001, c. 124, §1 (RPR).

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