

**§2105. Approval only after hearing**

**1. Approval only after hearing.** Except as provided in subsection 2, no approval required by section 2102, 2103 or 2104 and no license, permit or franchise may be granted to any person to operate, manage or control a public utility named in section 2101 in a municipality where there is in operation a public utility engaged in similar service or authorized to provide similar service, until the commission has made a declaration, after public hearing of all parties interested, that public convenience and necessity require a 2nd public utility.

[PL 1987, c. 141, Pt. A, §6 (NEW).]

**2. Declaration without hearing.** The commission may make a declaration without public hearing, if it appears that the utility serving or authorized to serve, the utility seeking approval from the commission to provide service and any customer or customers to receive service agree that the utility seeking approval to serve should provide service.

[RR 2009, c. 2, §102 (COR).]

**SECTION HISTORY**

PL 1987, c. 141, §A6 (NEW). RR 2009, c. 2, §102 (COR).

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