

**§3102. Recovery of cost of canceled or abandoned electric generating facility or transmission or distribution plant**

**1. Determining rate-making treatment.** In determining the rate-making treatment for a utility's investment in a canceled or abandoned electric generating facility or transmission or distribution plant, the commission shall balance the interests of the utility and ratepayers in a just and reasonable manner in each individual case. The commission may not permit a utility to recover in rates any costs incurred imprudently in relation to an investment in a canceled or abandoned electric generating facility or transmission or distribution plant.

[PL 1999, c. 398, Pt. A, §43 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**2. Canceled or abandoned generating facility or transmission or distribution plant.** As used in this section, the term "canceled or abandoned generating facility or transmission or distribution plant" means any electric generating facility or transmission or distribution plant canceled or abandoned by the owner or by the joint participants in the facility in accordance with the terms of applicable agreements or otherwise.

[PL 1999, c. 398, Pt. A, §43 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**3. Exception.**

[PL 1999, c. 398, Pt. A, §43 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**4. This section not intended to indicate preference.**

[PL 1999, c. 398, Pt. A, §43 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**5. Canceled plant recovery filing fee.**

[PL 1999, c. 398, Pt. A, §43 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**SECTION HISTORY**

PL 1987, c. 141, §A6 (NEW). PL 1987, c. 490, §A4 (AMD). PL 1999, c. 398, §A43 (AMD). PL 1999, c. 398, §§A104,105 (AFF).

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