

**§3140. Regulation of foreign electric utility**

**1. Foreign electric utility to notify commission before acting within this State.** A foreign electric utility shall, before constructing, purchasing, owning, controlling, operating, managing or otherwise participating in a joint or common interest in a utility facility within this State:

A. Notify the commission in writing of the action to be taken by the utility; and [PL 1987, c. 141, Pt. A, §6 (NEW).]

B. Provide any information reasonably required by the commission under section 3132. [PL 1987, c. 141, Pt. A, §6 (NEW).]  
[PL 1997, c. 316, §2 (AMD).]

**2. Annual report of foreign electric utility.** After giving notice under subsection 1, a foreign electric utility shall:

A. Annually file with the commission a copy of the annual report filed by it with the appropriate regulatory agency of the State where its operations are principally located; and [PL 1987, c. 141, Pt. A, §6 (NEW).]

B. Furnish to the commission from time to time such other information with respect to its activities within this State as the commission may reasonably require. [PL 1987, c. 141, Pt. A, §6 (NEW).]  
[PL 1987, c. 141, Pt. A, §6 (NEW).]

**3. Registered office and agent; service of process.** A foreign electric utility:

A. Shall designate and continuously maintain in this State a registered office and a registered agent in accordance with Title 5, section 105; and [PL 2007, c. 323, Pt. G, §3 (AMD); PL 2007, c. 323, Pt. G, §4 (AFF).]

B. Is subject to service of process, notice or demand as provided in Title 5, section 113. [PL 2007, c. 323, Pt. G, §3 (AMD).]  
[PL 2007, c. 323, Pt. G, §3 (AMD); PL 2007, c. 323, Pt. G, §4 (AFF).]

**4. Certificate of agency with regulatory jurisdiction over foreign electric utility.** Upon the filing with the commission of a certificate of the appropriate regulatory agency of the state of domicile or principal locus of a foreign electric utility, or of the United States, stating either that the agency has regulatory jurisdiction over the issuance of stocks, bonds or other evidences of indebtedness payable more than 12 months from date of issue by that foreign electric utility to finance a utility facility in this State or that the agency has general supervision of that foreign electric utility in the conduct of its electric utility business, that foreign electric utility may not be deemed a "transmission and distribution utility" as defined in section 102, subsection 20-B, merely by reason of the exercise by it of the authority granted in former section 3139.

[PL 1999, c. 398, Pt. A, §54 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**5. Exemption.**

[PL 1999, c. 398, Pt. A, §55 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**SECTION HISTORY**

PL 1987, c. 141, §A6 (NEW). PL 1997, c. 316, §2 (AMD). PL 1997, c. 710, §7 (AMD). PL 1999, c. 398, §§A54,55 (AMD). PL 1999, c. 398, §§A104,105 (AFF). RR 2001, c. 2, §B55 (COR). RR 2001, c. 2, §B58 (AFF). PL 2007, c. 323, Pt. G, §3 (AMD). PL 2007, c. 323, Pt. G, §4 (AFF).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 130th Maine Legislature and is current through October 1, 2022. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.