

**§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).

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