

**§312. Temporary rates during rate proceeding**

During any proceeding initiated by a public utility by a filing pursuant to section 307 or 1302, the commission may temporarily approve any undisputed amounts of a requested rate increase or rate decrease. If the parties are unable to agree on an undisputed amount, any party, at any time after the cross-examination of the utility's direct case has been conducted and all parties have filed their direct cases, may request the commission to require the parties to provide a written statement of those issues that are being contested and an estimated dollar value of the extent of the disagreement between the utility and the other party on that issue. The commission, after examining the statements of issues presented, may determine an amount which is undisputed. The commission may include in the undisputed amount the amount put in question by any party other than the utility, if the commission determines that that party has no possibility of ultimately prevailing on that issue. The amounts temporarily approved shall be filed by the utility as a temporary schedule which shall be effective from the date of approval of the temporary schedule until the issuance of the final order in section 307 proceeding. [PL 1987, c. 141, Pt. A, §6 (NEW).]

The utility shall notify each customer of the rate increase allowed under this section. The notice shall be mailed with the first bill mailed to each customer after the date of approval and shall state the following: [PL 1987, c. 141, Pt. A, §6 (NEW).]

**1. Amount of increase.** The amount of increase allowed under this section;  
[PL 1987, c. 141, Pt. A, §6 (NEW).]

**2. Statement.** The fact that that rate increase allowed under this section was undisputed or that although disputed it was approved by the commission, subject to partial or full refund if the commission in its final order approves an amount less than the increase allowed by the temporary rate schedule;  
[PL 1987, c. 141, Pt. A, §6 (NEW).]

**3. Amount of remaining disputed portion.** The amount of the remaining disputed portion of the requested rate increase; and  
[PL 1987, c. 141, Pt. A, §6 (NEW).]

**4. Disputed portion will be decided.** If available, an estimate of the date when the disputed portion will be decided.  
[PL 1987, c. 141, Pt. A, §6 (NEW).]

**SECTION HISTORY**

PL 1987, c. 141, §A6 (NEW).

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