

Bond Case Briefs

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PUBLIC UTILITIES - MAINE

Conservation Law Foundation v. Public Utilities Commission

Supreme Judicial Court of Maine - August 16, 2018 - A.3d - 2018 WL 3901484 - 2018 ME 120

Environmental advocacy organization sought judicial review of a decision of the Public Utilities Commission adopting a rule that altered the calculation of incentives under a renewable energy incentive program.

The Supreme Judicial Court of Maine held that Superior Court, rather than Law Court, had jurisdiction over appeals from Commission's rulemaking decisions; overruling *Central Maine Power Company v. Public Utilities Commission*, 734 A.2d 1120.

Superior Court, rather than the Law Court, had original jurisdiction over an environmental advocacy organization's appeal from a decision of the Public Utilities Commission adopting a rule that altered the calculation of incentives under a renewable energy incentive program; statute permitting appeals from a "final decision" of the Commission evinced a legislative intent to define appellate review over decisions of the Commission when it acted in its adjudicatory role, not in its rulemaking capacity, statute excepted from Law Court's jurisdiction the Superior Court's jurisdiction to review rules, and Superior Court's enabling statute precluded any inference that the Law Court and Superior Court shared concurrent jurisdiction; overruling *Central Maine Power Company v. Public Utilities Commission*, 734 A.2d 1120.