

Bond Case Briefs

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PUBLIC UTILITIES - MAINE

Central Maine Power Co. v. Public Utilities Com'n

Supreme Judicial Court of Maine - April 8, 2014 - A.3d - 2014 ME 56

Power company appealed from decision of Public Utilities Commission (PUC) that company had misapplied nearly \$2.6 million in customer deposits to account balances for transmission-and-distribution (T&C) services that should have been applied to account balances for standard-offer service.

The Supreme Judicial Court of Maine held that:

- PUC reasonably interpreted applicable statutes and regulations referring to “a deposit” by an electricity customer as containing two components, one for T&C service and one for standard-offer service, which must be allocated to oldest debt first;
- Prospective financial impact on power company did not alone render the ordered accounting adjustment penal so as to merit application of the fair notice doctrine; and
- PUC’s decision did not run afoul of prohibition against retroactive rulemaking.