

Bond Case Briefs

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PUBLIC UTILITIES - MAINE

Office of the Public Advocate v. Public Utilities Commission

Supreme Judicial Court of Maine - December 28, 2023 - A.3d - 2023 WL 8940325 - 2023 ME 77

Office of Public Advocate sought review of order of Public Utilities Commission (PUC) which approved an amended special rate contract between natural gas utility and customer.

The Supreme Judicial Court held that:

- PUC's decision to apply different standard of review to special rate contract for natural gas service than it would to a special rate contract for electric transmission and distribution, so as to require that special rate contract for electric transmission and distribution maximize revenue above marginal cost of service while not requiring the same of a special rate contract for natural gas service, was not unreasonable, unjust, or unlawful;
- Special rate contract did not result in a discount for customer that was so high as to constitute an unreasonable burden on other ratepayers served by utility and thus was not unjust, unreasonable, or discriminatory, supporting approval of such contract; and
- PUC acted within discretion in declining to require a general cost-of-service study before approving contract.