

§6114. Exemption from requirements

The commission may grant exemptions from portions of this Title to individual consumer-owned water utilities or a class of consumer-owned water utilities in accordance with this section. An exemption granted under this section must be granted pursuant to standards and procedures adopted by the commission by rule. [PL 2013, c. 573, §4 (NEW).]

1. General standards. In order to grant an exemption, the commission must make specific findings that the exemption is in the public interest, will not result in unjust or unreasonable rates and will not have a negative impact on the provision of safe, adequate and reliable service and that the affected consumer-owned water utility or class of consumer-owned water utilities has the adequate technical, financial and administrative capacity to perform the waived function or requirement. [PL 2013, c. 573, §4 (NEW).]

2. Initiation of exemption. The commission shall consider an exemption to an individual consumer-owned water utility at the request of a consumer-owned water utility. The commission shall require the consumer-owned water utility to notify its customers and hold a public hearing before approving the request for exemption. The commission may, on its own motion, grant an exemption to a class of consumer-owned water utilities. The commission shall adopt by rule standards and procedures for granting an exemption to a class of consumer-owned water utilities. [PL 2013, c. 573, §4 (NEW).]

3. Exceptions. The commission may not a grant an exemption under this section from any of the following sections of this Title:

- A. Section 116; [PL 2013, c. 573, §4 (NEW).]
- B. Section 301, subsections 1 to 3; [PL 2013, c. 573, §4 (NEW).]
- C. Section 309, subsection 1; [PL 2013, c. 573, §4 (NEW).]
- D. Section 501; [PL 2013, c. 573, §4 (NEW).]
- E. Section 502; [PL 2013, c. 573, §4 (NEW).]
- F. Section 702; [PL 2013, c. 573, §4 (NEW).]
- G. Section 709; [PL 2013, c. 573, §4 (NEW).]
- H. Section 712; [PL 2013, c. 573, §4 (NEW).]
- I. Section 1101; [PL 2013, c. 573, §4 (NEW).]
- J. Section 1302; [PL 2013, c. 573, §4 (NEW).]
- K. Section 6105; [PL 2013, c. 573, §4 (NEW).]
- L. Section 6109; [PL 2013, c. 573, §4 (NEW).]
- M. Section 6109-B; [PL 2013, c. 573, §4 (NEW).]
- N. Section 6111-C; and [PL 2013, c. 573, §4 (NEW).]
- O. Section 6112. [PL 2013, c. 573, §4 (NEW).]

[PL 2013, c. 573, §4 (NEW).]

4. Consumer assistance and safety division. The commission shall ensure that customers of consumer-owned water utilities retain access to the services provided by the consumer assistance and safety division within the commission.

[PL 2015, c. 8, §7 (AMD).]

5. Rescission. The commission shall establish by rule a process by which:

A. Customers of a consumer-owned water utility may petition the commission to rescind an exemption granted under this section to an individual consumer-owned water utility or to a class of consumer-owned water utilities; and [PL 2013, c. 573, §4 (NEW).]

B. The commission may on its own motion rescind an exemption granted under this section to an individual consumer-owned water utility or to a class of consumer-owned water utilities. [PL 2013, c. 573, §4 (NEW).]

A rescission may be in whole or in part and may be specific to an individual consumer-owned water utility.

[PL 2013, c. 573, §4 (NEW).]

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2013, c. 573, §4 (NEW).]

SECTION HISTORY

PL 2013, c. 573, §4 (NEW). PL 2015, c. 8, §7 (AMD).

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