

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2002-162

May 1, 2003

Maine Public Utilities Commission
Procedures for Conservation Program
Planning

PROCEDURAL ORDER

On April 11, 2003, Madison Paper Industries (Madison Paper) filed a petition to suspend the Commission Order of April 4, 2003 in this docket from requiring a conservation assessment of 0.6 mils/kWh on Madison Electric Works (MEW) effective on July 1, 2003. Madison Paper captioned its filing as a "Petition to Suspend" rather than a "Petition to Reconsider" under chapter 110, section 1004 because section 1004 applies to adjudicatory proceedings and the Commission has treated this docket as a non-adjudicatory proceeding.

In practice, the Commission has treated petitions to reconsider decisions made in non-adjudicatory proceedings (e.g. securities approvals pursuant to 35-A M.R.S.A. § 901) to be governed by chapter 110, section 1004. To remove any ambiguity that might be created if it is decided later that chapter 110, section 1004 applies to Madison Paper's petition of April 11, to the extent applicable, the Examiner waives the provision of chapter 110, section 1004 that deems Madison Paper's petition denied by Commission inaction after 20 days. It is expected that the Commission will act on Madison Paper's petition before the next quarter's conservation assessments are sent out.

Dated at Augusta, Maine, this 1st day of May, 2003.

BY ORDER OF THE HEARING EXAMINER

James A. Buckley