

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1
2
3
4

(New Draft of H.P. 1861, L.D. 1855)
(New Title)
SECOND REGULAR SESSION

5
6

ONE HUNDRED AND TENTH LEGISLATURE

7
8

Legislative Document

No. 2120

9

H. P. 2273 House of Representatives, March 31, 1982
Reported by Representative Weymouth from the Committee on
Public Utilities and printed under Joint Rules No. 2.

10

EDWIN H. PERT, Clerk

11

12
13

STATE OF MAINE

14
15
16

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-TWO

17
18
19
20

**AN ACT to Provide for Improved Energy
Policy Development and Electricity
Demand Forecasts.**

21

Be it enacted by the People of the State of Maine as follows:

22
23

Sec. 1. 5 MRSA §5004, sub-§3, ¶C, as repealed and replaced by PL 1975, c. 587, §1, is amended to read:

24
25
26
27
28
29

C. Be assisted by the New England Power Pool and by departments, agencies, authorities, boards, commissions and other instrumentalities of State Government in the gathering of information, reports and data which relate to state planning and development in the area of energy resources;

30
31

Sec. 2. 5 MRSA §5004, sub-§3, ¶I, as repealed and replaced by PL 1975, c. 587, §1, is amended to read:

1 l. Be responsible for the formulation of a comprehensive
2 biennial state energy resources plan and a state
3 energy policy. ;

4 **Sec. 3. 5 MRSA §5004, sub-§4, last sentence,** as
5 repealed and replaced by PL 1975, c. 587, §1, is amended to
6 read:

7 The annual report shall include, but is not limited to, the
8 following: The programs developed and implemented by the
9 Office of Energy Resources, the stage of development of the
10 programs, the stage of implementation of the state energy
11 resources plan and the direction of programs planned for the
12 ensuing year.

13 **Sec. 4. 5 MRSA §5005, sub-§1, ¶A,** as repealed and
14 replaced by PL 1979, c. 388, §1, is repealed and the follow-
15 ing enacted in its place:

16 A. Prepare an energy resources plan to be submitted to
17 the Governor and the Legislature by September 15, 1983,
18 and every 2 years thereafter.

19 (1) The plan shall include:

20 (a) A description of historical energy
21 demand by end use sector and energy resources
22 used to meet that demand;

23 (b) A forecast of energy demand by end use
24 sector for the next 5, 10 and 20 years,
25 including an electricity demand forecast and
26 the unit cost of the resources that may be
27 utilized to meet that demand. A description
28 of the assumptions upon which the forecasts
29 are based and the probability of error shall
30 also be provided. This forecast shall
31 include the electric and gas forecast from
32 paragraph B;

33 (c) A description and quantification of
34 potentially available energy resources for
35 use in the State;

36 (d) A report on the progress of implementing
37 the last energy resources plan; and

38 (e) Recommendations for energy policy,
39 including specific recommendations for state
40 action necessary to implement this

1 policy. The recommendations shall include
2 proposals concerning the types and quantity
3 of resources that will meet the future energy
4 demand in the most desirable and feasible
5 manner. Preference shall be given to conser-
6 vation and renewable resources where they are
7 technically and economically feasible.

8 (2) To the extent possible, the Office of Energy
9 Resources shall use existing data sources. When
10 more accurate or additional information is neces-
11 sary, the director may collect data from energy
12 producers and suppliers in the State.

13 (3) The director shall hold a public hearing on
14 the report prior to submission to the Governor and
15 the Legislature.

16 (4) The director shall assist the Governor in the
17 preparation of a state energy policy.

18 Sec. 5. 5 MRSA §5005, sub-§1, ¶B, as repealed and
19 replaced by PL 1975, c. 587, §2, is repealed and the follow-
20 ing enacted in its place:

21 B. Prepare a biennial electric and gas energy forecast
22 for use in preparing the biennial energy resources
23 plan. That forecast shall be prepared as follows.

24 (1) Each electric company serving more than
25 20,000 customers within the State or gas company
26 serving within the State shall file with the
27 Office of Energy Resources a long-range forecast
28 of demand for the utility's service 5, 10 and 20
29 years ahead. A forecast prepared to meet this re-
30 quirement may also be filed by the utility in any
31 proceeding before the Public Utilities Commission.

32 (2) The director shall prepare a draft forecast
33 based on the information received under
34 subparagraph (1) and any other information avail-
35 able to him, and hold a public hearing to receive
36 comments on the draft. The draft report shall
37 contain:

38 (a) Projection of the demand for electrical
39 energy and natural gas in the State for the
40 succeeding 5-year, 10-year and 20-year
41 periods;

1 (b) Identification of supplies and capacity
2 for meeting the electric and gas needs
3 including planned increases in supply and
4 capacity intended to meet that demand and
5 other options for meeting the electric and
6 gas needs, such as conservation or other sup-
7 plies; and

8 (c) Such other information as the director
9 deems appropriate.

10 (3) Within 60 days of the public hearing de-
11 scribed in subparagraph (2), the director shall
12 publish a final forecast. That forecast shall be
13 included in the biennial energy resources plan.

14 (4) The director shall submit a copy of the elec-
15 tric and gas energy forecast to the Public Utili-
16 ties Commission. The commission may consider the
17 forecast in all relevant proceedings;

18 **Sec. 6. 5 MRSA §5005, sub-§1, ¶B-1 is enacted to read:**

19 B-1. Nothing in this section may prohibit the director
20 from preparing additional reports and forecasts in
21 order to carry out the responsibilities of the office;

22 **Sec. 7. 5 MRSA §5005, sub-§1, ¶D-1, as enacted by PL**
23 **1979, c. 388, §3, is repealed.**

24 **Sec. 8. 5 MRSA §5006, sub-§2 is enacted to read:**

25 2. Expenditures requiring approval. For all programs
26 involving expenditures of \$10,000 or more, the director
27 shall recommend those expenditures to the Governor. If the
28 Governor approves, he shall recommend those expenditures to
29 the Legislature under the procedure authorizing the transfer
30 of funds set forth in section 1585, subsection 3.

31 **STATEMENT OF FACT**

32 This new draft combines the best features of Legis-
33 lative Documents 1855 and 1896. It simplifies the reporting
34 requirements of the Office of Energy Resources under Title 5
35 and introduces a systematic method of developing a state
36 energy resources plan with public review.

37 The plan will include an energy demand forecast which
38 will be made available to the Public Utilities Commission,

1 which may consider it in all relevant proceedings, either
2 through introduction to the record by the staff or any other
3 party.

4 The energy resources plan would be prepared biennially
5 by the Office of Energy Resources, and would include his-
6 torical data, future projections, a description of resources
7 to meet the energy needs and recommendations for energy
8 policy. Although a formal energy report would no longer be
9 required by statute in the even years, this Act is not
10 intended to prevent the Office of Energy Resources from pre-
11 paring additional reports as necessary to carry out the gen-
12 eral duties of the office, including informational duties
13 under Title 5, chapter 338.

14 The new draft retains the provisions of the original
15 bill which delete the Office of Energy Resources responsi-
16 bility for monitoring home oil deliveries and which require
17 that expenditures from the Maine Energy Resources Develop-
18 ment Fund in excess of \$10,000 must be approved by the Gov-
19 ernor and the Legislature. Currently, the Director of the
20 Office of Energy Resources is only required to report to the
21 Legislature annually in regard to expenditures from this
22 fund.

23

5310032382