

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 331

S.P. 134

In Senate, January 14, 1999

**An Act to Amend the Renewable Resource Portfolio Requirement for
Competitive Electricity Providers.**

Reference to the Committee on Utilities and Energy suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CAREY of Kennebec.

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

2
4 **Sec. 1. 35-A MRSA §3210, sub-§§2 and 3**, as enacted by PL 1997, c. 316, §3, are amended to read:

6 **2. Definition.** As used in this section, the term
8 "renewable resource" means a source of electrical generation that
10 ~~generates power that can physically be delivered to the central~~
~~region in which the New England Power Pool, or its successor as~~
~~approved by the Federal Energy Regulatory Commission, has~~
12 ~~authority over transmission~~ retail customers in this State and
that:

14 A. Qualifies as a qualifying small power production
16 facility under the Federal Energy Regulatory Commission
rules, 18 Code of Federal Regulations, Part 292, Subpart B,
18 as in effect on January 1, 1997;

20 B. Qualifies as a qualifying cogeneration facility under
the Federal Energy Regulatory Commission rules, 18 Code of
22 Federal Regulations, Part 292, Subpart B, as in effect on
January 1, 1997 and was constructed prior to January 1,
24 1997; or

26 C. Whose total power production capacity does not exceed
100 megawatts and that relies on one or more of the
28 following:

- 30 (1) Fuel cells;
- 32 (2) Tidal power;
- 34 (3) Solar arrays and installations;
- 36 (4) Wind power installations;
- 38 (5) Geothermal installations;
- 40 (6) Hydroelectric generators;
- 42 (7) Biomass generators; or
- 44 (8) Generators fueled by municipal solid waste in
conjunction with recycling.

46 **3. Portfolio requirements.** As a condition of licensing
48 pursuant to section 3203, each competitive electricity provider
in this State must demonstrate in a manner satisfactory to the
50 commission that no less than 30% of its ~~portfolio of supply~~
~~sources for retail electricity sales~~ kilowatt-hours sales to

2 retail customers in this State are accounted for by renewable
resources. By January 1, 1999, the commission shall
4 provisionally adopt rules establishing reasonable procedures for
implementing this requirement. Rules adopted under this
6 subsection are major substantive rules pursuant to Title 5,
chapter 375, subchapter II-A.

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SUMMARY

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12 This bill amends the electric industry restructuring law
with respect to the renewable portfolio requirement for
competitive providers.

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16 Current law requires each provider to have 30% of its
portfolio of supply sources for retail electricity sales in this
State accounted for by renewable resources. The law defines
18 renewable resources to be those resources that can be delivered
into the New England Power Pool.

20

22 This bill changes the definition of renewable resources to
require that the electricity generated be deliverable to Maine
consumers. It also changes the 30% portfolio standard to a
24 requirement that 30% of a provider's kilowatt-hours sales to
retail customers in this State be accounted for by renewable
26 resources.