

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2021

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Legislative Document

No. 1025

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H.P. 763

House of Representatives, March 10, 2021

**An Act To Allow a Customer with a Net Energy Billing  
Arrangement To Annually Donate Any Unused Kilowatt-hour  
Credits**

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

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BERRY of Bowdoinham.  
Cosponsored by Senator BRENNER of Cumberland.

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

2 **Sec. 1. 35-A MRSA §3209-A, sub-§5** is enacted to read:

3 **5. Donation of unused kilowatt-hour credits.** Not more than once per year, a  
4 customer that has a net energy billing arrangement with a transmission and distribution  
5 utility may donate any unused kilowatt-hour credits accumulated by that customer to  
6 another customer of that same transmission and distribution utility.

7 **Sec. 2. Public Utilities Commission review of net energy billing shared**  
8 **interest.** The Public Utilities Commission shall review the Maine Revised Statutes, Title  
9 35-A, section 3209-A and the Public Utilities Commission rule Chapter 313, Customer Net  
10 Energy Billing, to determine if it is unreasonably burdensome for a small number of  
11 residential customers of a transmission and distribution utility to create a shared financial  
12 interest in a distributed generation resource for the purposes of net energy billing. In  
13 conducting the review, the commission shall also evaluate whether applicable provisions  
14 are clearly written and easily understandable. By December 1, 2021, the commission shall  
15 submit the results of the review conducted pursuant to this section to the Joint Standing  
16 Committee on Energy, Utilities and Technology and shall include any suggested legislation  
17 or rule changes resulting from the review. The committee may report out a bill based on  
18 the report to the Second Regular Session of the 130th Legislature.

19 **SUMMARY**

20 This bill allows, not more than once per year, a customer that has a net energy billing  
21 arrangement with a transmission and distribution utility to donate any unused kilowatt-hour  
22 credits accumulated by that customer to another customer of that same transmission and  
23 distribution utility.

24 It also requires the Public Utilities Commission to review the Maine Revised Statutes,  
25 Title 35-A, section 3209-A and its rule Chapter 313, Customer Net Energy Billing, to  
26 determine if it is unreasonably burdensome for a small number of residential customers of  
27 a transmission and distribution utility to create a shared financial interest in a distributed  
28 generation resource for the purposes of net energy billing and to evaluate whether the rules  
29 regarding shared financial interest among a small number of residential customers only are  
30 clearly written and easy to understand. It requires the commission to report back to the  
31 Joint Standing Committee on Energy, Utilities and Technology by December 1, 2021 the  
32 results of its review and to include any suggested legislation or rule changes. It allows the  
33 committee to report out a bill based on the report to the Second Regular Session of the  
34 130th Legislature.