

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 4, 2024 to March 21, 2025

FIRST SPECIAL SESSION
March 25, 2025 to June 25, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NONEMERGENCY LAWS IS
JUNE 20, 2025

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NONEMERGENCY LAWS IS
SEPTEMBER 24, 2025

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2025

or repairing a wharf or pier, or any building thereon, including the surveying, clearing, grading, draining, excavating or landscaping of the ground adjacent to and upon which any such objects are constructed, or in selling any interest in land, improvements or structures, by virtue of a contract with or by consent of the owner, has a lien thereon and on the land on which it stands and on any interest ~~such~~ the owner has in the same, to secure payment thereof, with costs. If the owner of the building has no legal interest in the land on which the building is erected or to which it is moved, the lien attaches to the building, and if the owner of the wharf or pier has no legal interest in the land on which the wharf or pier is erected, the lien attaches to the wharf or pier, and in either case may be enforced as provided. If the owner of ~~such~~ the land, building, wharf or pier, so contracting, is a minor ~~or married woman~~, ~~such~~ the lien exists and ~~such~~ that minority ~~or coverture~~ does not bar a recovery in any proceeding brought to enforce it.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective June 20, 2025, unless otherwise indicated.

CHAPTER 391 S.P. 694 - L.D. 1792

An Act to Ensure Fair and Equitable Recovery of Post- restructuring Stranded Costs

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, electricity costs are negatively impacting many Maine electricity consumers; and

Whereas, the costs associated with the State's net energy billing programs are having a disproportionate impact on businesses in the State that are vital to economic growth; and

Whereas, the rate design adopted by the Public Utilities Commission by order dated April 30, 2025 will not provide sufficient relief for Maine's large and industrial customers; and

Whereas, it is the policy of the State that the commission advance through its decisions and orders beneficial electrification in order to achieve the emission reduction and renewable energy goals of the State, reduce energy costs to consumers and provide economic and climate benefits for all ratepayers pursuant to the Beneficial Electrification Policy Act, enacted June 26, 2023; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of

the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

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

1-A. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Beneficial electrification" has the same meaning as in section 10102, subsection 3-A.

B. "Intermediate commercial customer" means a nonresidential customer that meets the availability criteria to take service under a core customer class of a transmission and distribution utility that includes a demand charge and that is not classified as a medium commercial customer or a large commercial customer.

C. "Large commercial customer" means a nonresidential customer that meets the availability criteria to take service under a core customer class of a transmission and distribution utility in which a customer takes electrical service from the utility at a subtransmission or transmission voltage or in which a customer has a maximum demand of at least 500 kilowatts as defined under the terms and conditions of the transmission and distribution utility.

D. "Lighting customer" means a nonresidential customer whose account for electricity service is limited to street or area lighting.

E. "Medium commercial customer" has the same meaning as in section 3106, subsection 1, paragraph B.

F. "Post-restructuring stranded costs" means costs allocated to a transmission and distribution utility pursuant to section 3209-C, subsection 2, paragraph B and pursuant to section 3210-F, subsection 3.

G. "Residential customer" has the same meaning as in section 3106, subsection 1, paragraph C.

H. "Small commercial customer" has the same meaning as in section 3106, subsection 1, paragraph D.

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

5. Post-restructuring stranded costs. No later than October 1, 2025, each investor-owned transmission and distribution utility shall recover post-restructuring stranded costs in accordance with the rate design established by the commission in accordance with this subsection. For investor-owned transmission

and distribution utility rates applicable prior to July 1, 2028, the commission shall establish a rate design for each investor-owned transmission and distribution utility in the State for the recovery of post-restructuring stranded costs that:

A. Aggregates the customers of investor-owned transmission and distribution utilities in the State on a statewide basis into groups of large commercial customers, medium commercial customers, intermediate commercial customers, small commercial customers, lighting customers and residential customers;

B. Notwithstanding section 3209-C, subsection 2, paragraph B and section 3210-F, subsection 3, allocates the combined post-restructuring stranded costs, as determined by the commission, for investor-owned transmission and distribution utilities in the State to each customer class group described in paragraph A, based on each group's pro rata share of statewide post-restructuring stranded costs based on total retail kilowatt-hour energy sales to those customers;

C. For any rate design established by the commission to apply after September 30, 2025 and before July 1, 2028, increases the cost allocation to residential customers, small commercial customers and medium commercial customer groups as calculated in accordance with paragraph B by 10% and reduces the cost allocation to the large commercial customer class group by an equal dollar amount; and

D. Requires each investor-owned transmission and distribution utility, prior to October 1, 2025, to calculate its post-restructuring stranded cost rates, including any annual reconciliation of costs, by applying a rate design that:

(1) For residential customers and small commercial customers, is recovered 100% through a fixed monthly charge;

(2) For medium commercial customers, is recovered 50% through a fixed monthly charge and 50% through a volumetric per kilowatt-hour charge;

(3) For intermediate commercial customers and large commercial customers, is recovered 85% through a fixed monthly charge and 15% through a volumetric per kilowatt-hour charge; and

(4) For lighting customers, is recovered 100% through a volumetric per kilowatt-hour charge.

Sec. 3. 35-A MRSA §3209, sub-§6 is enacted to read:

6. Post-restructuring stranded cost allocation; rate design. For post-restructuring stranded cost allocations and rate designs applicable on or after July 1, 2028, the commission shall by order establish such cost allocations and rate designs applicable for the following 3-year period, subject to annual and other necessary reconciliations, and ensure the promotion of beneficial electrification in every customer class.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 20, 2025.

CHAPTER 392

S.P. 281 - L.D. 597

An Act to Direct the Public Utilities Commission to Conduct Procurements for Energy or Renewable Energy Credits

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is critically important that Maine citizens have continued access to low-cost, locally generated power through the timely procurement of long-term contracts administered by the Public Utilities Commission; and

Whereas, delays in the procurement process will jeopardize rural jobs in the forest products industry and place at risk applications to connect in a cost-effective manner to the New England grid unless the Public Utilities Commission acts prior to the expiration of the 90-day period; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 35-A MRSA §3149 is enacted to read:

§3149. Negative pricing

The commission may not approve a contract for energy resulting from a competitive solicitation conducted by the commission under this Title unless the contract includes a provision that requires the reduction of payments to the bidder by the stranded costs arising from energy produced during negative price intervals. The commission may grant an exception from the inclusion