

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1346

H. P. 1129

House of Representatives, March 17, 1981

Referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Davies of Orono.

STATE OF MAINE

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

AN ACT to Establish and Implement an Electrical Energy Budget for the State.

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

35 MRSA § 13-B is enacted to read:

§ 13-B. Electrical energy budget

The Public Utilities Commission shall prepare and promulgate by rule on or before January 1, 1983 and every 5 years thereafter an electrical energy budget for the State, in this section called "the budget."

1. Projections. The budget shall contain projections of the electrical energy needs within the State 5, 10, 15 and 20 years ahead, including geographical, seasonal and time of day variations as well as the total needs.

2. Provisions of the budget. The budget shall identify the parameters of a preferred mix of generating sources and major transmission systems, both existing and new, including sources in other states and Canada, based on economy and reliability but also on renewability, environmental acceptability and overall effect on the state's economy. In preparing the budget, preference shall be given to conservation and renewable alternatives where they are technically and economically feasible.

3. Provisions; applicant. An applicant for a certificate of public convenience and necessity under section 13-A shall be deemed to meet the need for power

showing if the application is in conformity with the state electrical energy budget, and shall receive expedited regulatory review by the commission. Any other application shall receive normal review, but the burden of proof on need for power and choice of generating system compared to alternatives shall be on the applicant.

4. Updated. The electrical energy budget may be updated at interim periods, but not more frequently than at 2-year intervals, if the commission finds that significant new information has become available since the previous budget and that a new budget would be in the public interest. Any person residing or doing business in the State may petition for an update of the budget.

5. Office of Energy Resources to cooperate. In preparing the electrical energy budget the commission shall enlist the cooperation of the Office of Energy Resources and make maximum use of the state energy plan and policy developed by that office under Title 5, section 5005.

6. Cost. The estimated cost of preparation of the budget shall be allocated by the commission on an equitable basis, in their judgment, among the applicants for licenses for construction of electrical generation or transmission facilities or for purchase of out-of-state power.

7. State funds not used; exception. No state funds, including loans or loan guarantees, or federal funds over which the State has control, may be used for any electrical project licensable by the commission which is not in conformity with the electrical energy budget, except in an emergency situation.

STATEMENT OF FACT

This bill requires the Public Utilities Commission to develop an electrical planning budget and that it be used in making government energy decisions.