MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 302

H.P. 245

House of Representatives, January 28, 2003

An Act To Make Adjustments to the Renewable Energy Portfolio

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative BERRY of Belmont. Cosponsored by Representatives: GOODWIN of Pembroke, JOY of Crystal, RINES of Wiscasset, ROSEN of Bucksport.

	Be it enacted by the People of the State of Maine as follows:
2	Sec. 1. 35-A MRSA §3210, sub-§2, ¶C, as repealed and replaced by PL 1999, c. 398, Pt. I, §2, is amended to read:
6	C. "Renewable resource" means a source of electrical
8	generation:
10	(1) That qualifies as a small power production facility under the Federal Energy Regulatory Commission
12	rules, 18 Code of Federal Regulations, Part 292, Subpart B, as in effect on January 1, 1997; or
14	(2) Whese-total-power-preduction-capacity-does-net exceed-100-megawatts-and-that That relies on one or
16	more of the following:
18	(a) Fuel cells;
20	(b) Tidal power;
22	(c) Solar arrays and installations;
24	(d) Wind power installations;
26	(e) Geothermal installations;
28	(f) Hydroelectric generators;
30	(g) Biomass generators; or
32	(h) Generators fueled by municipal solid waste in conjunction with recycling.
34	Sec. 2. 35-A MRSA §3210, sub-§§3 and 4, as amended by PL 1999,
36	c. 398, Pt. I, §3, are further amended to read:
38	3. Portfolio requirements. As a condition of licensing pursuant to section 3203, each competitive electricity provider
40	in this State must demonstrate in a manner satisfactory to the commission that no less than 30% 20% of its portfolio of supply
42	sources for retail electricity sales in this State is accounted for by eligible resources. If a competitive electricity provider
44	represents to a customer that the provider is selling to the customer a portfolio of supply sources that includes more than
4 6	30% 20% eligible resources, the resources necessary to supply more than 30% 20% of that customer's load may not be applied to
48	meet the aggregate 30% 20% portfolio requirement. Rules adopted

Title 5, chapter 375, subchapter 4I-A = 2-A.

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4. Report. In view of property tax benefits, developments in other states and the development of a market for tradable credits for satisfying eligible resource requirements, the commission shall review the 30% 20% portfolio requirement and make a recommendation for any change to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters no later than 5 years after the beginning of retail competition.

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12 SUMMARY

This bill amends the energy portfolio requirements of the electric restructuring law.

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Under current law, renewable resources that qualify under the portfolio requirement include any facility that qualifies as a small power production facility under the Federal Energy Regulatory Commission rules and generators of less than 100 megawatts that rely on renewable resources. The bill removes the 100 megawatt limitation.

Under current law, 30% of a competitive electricity provider's portfolio of supply sources for retail electricity sales in this State must be accounted for by eligible resources, as defined by the law. This bill reduces this percentage to 20%.

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