

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:

Sec. 1. 35-A MRSA §3210, sub-§2, ¶C, as repealed and replaced by PL 1999, c. 398, Pt.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:

C. "Renewable resource" means a source of electrical generation:

(1) That qualifies as a small power production facility under the Federal Energy Regulatory Commission rules, 18 Code of Federal Regulations, Part 292, Subpart B, as in effect on January 1, 1997; or

(2) ~~Whose total power production capacity does not exceed 100 megawatts and that~~ That relies on one or more of the following:

(a) Fuel cells;

(b) Tidal power;

(c) Solar arrays and installations;

(d) Wind power installations;

(e) Geothermal installations;

(f) Hydroelectric generators;

(g) Biomass generators; or

(h) Generators fueled by municipal solid waste in conjunction with recycling.

Sec. 2. 35-A MRSA §3210, sub-§§3 and 4, as amended by PL 1999, c. 398, Pt. I, §3, are further amended to read:

3. Portfolio requirements. As a condition of licensing pursuant to section 3203, each competitive electricity provider in this State must demonstrate in a manner satisfactory to the commission that no less than ~~30%~~ 20% of its portfolio of supply sources for retail electricity sales in this State is accounted for by eligible resources. If a competitive electricity provider represents to a customer that the provider is selling to the customer a portfolio of supply sources that includes more than ~~30%~~ 20% eligible resources, the resources necessary to supply more than ~~30%~~ 20% of that customer's load may not be applied to meet the aggregate ~~30%~~ 20% portfolio requirement. Rules adopted under this subsection are major substantive rules pursuant to Title 5, chapter 375, subchapter ~~II-A~~ 2-A.

