

# MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

123RD LEGISLATURE

SECOND REGULAR SESSION

Majority

COMMITTEE AMENDMENT "A" to S.P. 884, L.D. 2254, "Resolve, Regarding ISO New England"

Amend the resolve in the emergency preamble in the 3rd paragraph after the title in the first and 2nd lines (page 1, lines 5 and 6 in L.D.) by striking out the following: ", including wind energy,"

Amend the resolve in the emergency preamble in the 8th paragraph after the title in the last line (page 1, line 25 in L.D.) by inserting after the following: "organization" the following: ', a proceeding which may be joined by Bangor Hydro Electric Company'

Amend the resolve by striking out all of section 1 and inserting in its place the following:

'Sec. 1. Public Utilities Commission order regarding alternative structure. Resolved: That should the Public Utilities Commission determine, in a proceeding pursuant to paragraph 43 of the stipulation approved by the Public Utilities Commission in PUC Docket No. 2007-355, that it is in the interests of Maine consumers, considering, among other factors, the State's policy to encourage the development of indigenous renewable power resources, for Maine's transmission and distribution utilities to provide timely notice of nonrenewal of any membership in Independent System Operator New England, the Public Utilities Commission then shall subsequently, but no earlier than March 31, 2009, order Maine's 3 investor-owned transmission and distribution utilities to file with the commission a plan in accordance with this section to form an alternative structure to hold, manage, dispatch and expand the transmission assets of the investor-owned transmission and distribution utilities.

1. The plan must encourage development of indigenous renewable power resources, including but not limited to wind, tidal, hydroelectric, solar, geothermal and biomass resources, and energy efficiency and conservation resources in the State.

2. The plan must include requests for certificates of public convenience and necessity by the investor-owned utilities to directly interconnect the transmission system of Maine Public Service Company with the transmission system of Bangor Hydro Electric

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1 Company or Central Maine Power Company and otherwise expand the transmission  
2 system in Maine to maintain reliability and to facilitate the economic interconnection of  
3 indigenous renewable power resources. If requests for certificates of public convenience  
4 and necessity for such interconnection and reliability projects have already been  
5 submitted to the commission for approval prior to the submission of the plan, the plan  
6 must address the incorporation of the proposed interconnection and reliability projects,  
7 without prejudicing the commission's determination of whether such projects are in the  
8 public interest.

9 3. The plan must include all relevant commercial agreements necessary to implement  
10 the plan and petitions for all relevant regulatory approvals.

11 4. The plan must enable the investor-owned utilities, subject to any required  
12 regulatory approvals, to provide timely notice of a decision to not renew membership in,  
13 and to effect a withdrawal from, ISO New England no later than the scheduled  
14 termination of the regional transmission organization's transmission owners agreement  
15 pursuant to its terms.

16 5. The plan may include proposals for mutually beneficial international arrangements.

17 After the plan has been filed with the commission, the commission shall undertake a  
18 review of the plan and allow for public comment on the plan; and be it further

19 **Sec. 2. Public Utilities Commission report. Resolved:** That no later than  
20 January 15, 2009 the Public Utilities Commission shall submit a report to the joint  
21 standing committee of the Legislature having jurisdiction over utilities and energy  
22 matters regarding the commission's proceeding pursuant to paragraph 43 of the  
23 stipulation approved by the Public Utilities Commission in PUC Docket No. 2007-355.  
24 The report must include the commission's findings in that proceeding, including its  
25 determination of whether it is in the interests of Maine consumers for Maine's  
26 transmission and distribution utilities to provide timely notice of nonrenewal of any  
27 membership in Independent System Operator New England. The joint standing  
28 committee of the Legislature having jurisdiction over utilities and energy matters, after  
29 receiving the report, shall hold a public hearing on the report and, after the hearing, may  
30 submit to the First Regular Session of the 124th Legislature legislation relating to the  
31 subject matter of the report.

32

## SUMMARY

33 This amendment, like the bill, directs the Public Utilities Commission to order  
34 Maine's 3 investor-owned transmission and distribution utilities to file with the  
35 commission a plan to form an alternative structure to hold, manage, dispatch and expand  
36 the transmission assets of the investor-owned transmission and distribution utilities if the  
37 commission determines that it is in the interests of Maine consumers for Maine's  
38 transmission and distribution utilities to provide timely notice of nonrenewal of any  
39 membership in Independent System Operator New England. The amendment adds some  
40 clarifying language regarding the elements of the plan. The amendment prohibits the  
41 Public Utilities Commission from issuing the order prior to March 31, 2009 that directs  
42 the development of the plan. The amendment requires the commission to report to the  
43 joint standing committee of the Legislature having jurisdiction over utilities and energy

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1 matters by January 15, 2009 its findings and determinations on the subject of nonrenewal  
2 of membership in Independent System Operator New England and authorizes the  
3 committee, after holding a public hearing on that report, to submit legislation on the  
4 subject.

FISCAL NOTE REQUIRED  
(See attached)

**COMMITTEE AMENDMENT**



# 123rd MAINE LEGISLATURE

LD 2254

LR 3526(02)

Resolve, Regarding ISO New England

Fiscal Note for Bill as Amended by Committee Amendment "A"  
Committee: Utilities and Energy  
Fiscal Note Required: Yes

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Additional costs associated with this legislation can be absorbed by the Public Utilities Commission utilizing existing budgeted resources.