

# MAINE STATE LEGISLATURE

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Date: 4/8/9

L.D. 336  
(Filing No. H-63 )

**UTILITIES AND ENERGY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
124TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 272, L.D. 336, "Resolve, Regarding Legislative Review of Portions of Chapter 313: Net Energy Billing Rule To Allow Shared Ownership, a Major Substantive Rule of the Public Utilities Commission"

Amend the bill by striking out the title and substituting the following:

**'Resolve, Regarding Legislative Review of Chapter 313: Net Energy Billing Rule To Allow Shared Ownership, a Major Substantive Rule of the Public Utilities Commission'**

Amend the resolve by striking out all of section 1 (page 1, lines 14 to 18 in L.D.) and inserting the following:

**'Sec. 1. Adoption. Resolved:** That final adoption of Chapter 313: Net Energy Billing Rule to Allow Shared Ownership, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

**1. Definition of "eligible facility."** That portion of the rule designated as definitions must be amended to include micro-combined heat and power systems within the definition of "eligible facility;"

**2. Definition of "micro-combined heat and power system."** That portion of the rule designated as definitions must be amended to add a definition of "micro-combined heat and power system" that specifies that a micro-combined heat and power system is a system that:

- A. Produces heat and electricity from one fuel input, without restriction to specific fuel or generating technology;
- B. Has an electric generating capacity rating of least one kilowatt and not more than 30 kilowatts and a fuel system efficiency of not less than 80% in the production of heat and electricity or has an electric generating capacity of at least 31 kilowatts and not more than 660 kilowatts and a fuel system efficiency of not less than 65% in the production of heat and electricity;

**COMMITTEE AMENDMENT**

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- 1 C. May work in combination with supplemental or parallel conventional heating
- 2 systems;
- 3 D. Is manufactured, installed and operated in accordance with applicable government
- 4 and industry standards; and
- 5
- 6 E. Is connected to the electric grid and operated in conjunction with the facilities of a
- 7 transmission and distribution utility; and
- 8 **3. Installed capacity limit of eligible facilities.** That portion of the rule regarding
- 9 eligible facilities within the section on annualized consumer net energy billing must be
- 10 amended to change the installed capacity limit for eligible facilities from 500 kilowatts to
- 11 660 kilowatts.

12 **SUMMARY**

13 This amendment authorizes the final adoption of Chapter 313: Net Energy Billing

14 Rule to Allow Shared Ownership, a provisionally adopted major substantive rule of the

15 Public Utilities Commission, as long as the rule is amended to include micro-combined

16 heat and power systems within the definition of "eligible facility" and to change the

17 installed capacity limit for eligible facilities from 500 kilowatts to 660 kilowatts.

**FISCAL NOTE REQUIRED**

(See attached)



Approved: 04/02/09 *MAC*

# 124th MAINE LEGISLATURE

LD 336

LR 1875(02)

**Resolve, Regarding Legislative Review of Portions of Chapter 313: Net Energy Billing Rule To Allow Shared Ownership, a Major Substantive Rule of the Public Utilities Commission**

**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 - General Fund

### Fiscal Detail and Notes

The costs to the Public Utilities Commission in revising and making recommendations for the provisionally adopted rule governing net energy billing can be absorbed within existing budgeted resources.