

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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Legislative Document

No. 596

H.P. 434

House of Representatives, February 17, 2009

### **An Act To Allow Electricity Customers Who Operate Generating Facilities To Be Paid in Cash for Excess Net Energy Produced**

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MARTIN of Orono.  
Cosponsored by Senator PERRY of Penobscot and  
Representatives: BLANCHARD of Old Town, CLARK of Millinocket, GILES of Belfast,  
GOODE of Bangor, MacDONALD of Boothbay, PETERSON of Rumford, SMITH of  
Monmouth, Senator: SCHNEIDER of Penobscot.

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

2 Sec. 1. 35-A MRSA §3210-E is enacted to read:

3 §3210-E. Net energy billing; rules

4 1. Definitions. As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Customer" means a person or an entity that takes electricity service through a  
7 transmission and distribution utility.

8 B. "Eligible facility" means an electric generating facility that generates electricity  
9 from a renewable resource, as defined in section 3210, subsection 2, paragraph C.

10 C. "Net energy" means the difference between the kilowatt-hours consumed by a  
11 customer and the kilowatt-hours generated by the customer's generating facility over  
12 any time period determined as if measured by a single meter capable of registering  
13 the flow of electricity in 2 directions.

14 2. Payments or credits. Upon request by a customer, a transmission and  
15 distribution utility shall compensate the customer for excess net energy generated by an  
16 eligible facility that is operated by the customer primarily to meet the customer's  
17 electricity requirements. The customer shall elect the method of compensation, which  
18 must be either:

19 A. Cash payment at the full value of the wholesale price of electricity; or

20 B. Kilowatt-hour credits that do not expire for 24 months.

21 3. Rules. The commission shall adopt rules to implement this section. Rules adopted  
22 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,  
23 subchapter 2-A.

24 **SUMMARY**

25 This bill requires transmission and distribution utility companies to compensate  
26 customers that generate electricity from renewable resources for any excess electricity  
27 generated by the customer beyond the customer's actual electricity usage. It requires the  
28 compensation to be in the form of a cash payment or kilowatt-hour credits at the option of  
29 the customer. The credits do not expire for 24 months. The bill directs the Public Utilities  
30 Commission to adopt routine technical rules to implement these requirements.