

# MAINE STATE LEGISLATURE

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RES

Date: 5-4-09

(Filing No. S-124)

UTILITIES AND ENERGY

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

STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 395, L.D. 1061, Bill, "An Act To Improve Maine's Renewable Portfolio Standard"

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

'Resolve, Regarding Maine's Renewable Resource Portfolio Requirements'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Portfolio requirements for new renewable capacity resources.

Resolved: That the Public Utilities Commission, referred to in this resolve as "the commission," shall review and make recommendations for improvements to the portfolio requirements for new renewable capacity resources in Title 35-A, section 3210, subsection 3-A, referred to in this section as "new renewable portfolio requirements." In fulfilling the requirements of this section, the commission shall:

1. Examine the number, type and location of the resources used to satisfy the new renewable portfolio requirements based on the compliance reports due July 1, 2009 pursuant to commission rule;

2. Analyze the costs and benefits of:

A. Establishing a requirement that the owner or operator of a new renewable capacity resource used to satisfy the new renewable portfolio requirements supply all or a fixed percentage of the electricity from its generating facility to the New England Power Pool control area or to the area administered by the independent system administrator for northern Maine for a minimum period of time; and

B. Establishing a prohibition on economic withholding or curtailment with respect to the delivery of electricity that is imported into the State from a renewable resource generating facility located outside of the New England Power Pool control area or the area administered by the independent system administrator for northern Maine by the owner or operator of a new renewable capacity resource used to satisfy the new renewable portfolio requirements, with an exception to the prohibition for the event of a planned or forced transmission line outage preventing the import of the

COMMITTEE AMENDMENT

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1 electricity or when the applicable interpool tie lines are operating at full transfer  
2 capacity.

3 The analysis of costs and benefits must consider impacts on prices of renewable energy  
4 credits; retail electricity prices; regional resource diversity and power supply; the  
5 development of new renewable capacity resources within the State and the New England  
6 Power Pool control area and related economic impacts within the State; and the extent to  
7 which renewable resource generating facilities located outside of the New England Power  
8 Pool control area or the area administered by the independent system administrator for  
9 northern Maine are used to meet the new renewable portfolio requirements;

10 3. Review current law and commission rules regarding the new renewable portfolio  
11 requirements and assess the potential risks and costs associated with making no change to  
12 the existing new renewable portfolio requirements; and

13 4. Develop recommendations regarding changes to the law, rule or other efforts that  
14 could be undertaken to strengthen incentives for the development of new renewable  
15 resources within the State, to enhance the commission's ability to address any cost  
16 concerns associated with the new renewable portfolio requirements and to ensure delivery  
17 of power from renewable resources into the State or the New England Power Pool control  
18 area during periods of high prices or peak loads; and be it further

19 **Sec. 2. Report; authority for legislation. Resolved:** That, by January 15,  
20 2010, the commission shall submit to the Joint Standing Committee on Utilities and  
21 Energy a report of its findings and recommendations pursuant to section 1. After receipt  
22 and review of the report, the committee may submit legislation concerning the subject  
23 matter of the report to the Second Regular Session of the 124th Legislature.'

24 **SUMMARY**

25 This amendment replaces the bill with a resolve. The amendment directs the Public  
26 Utilities Commission to review and make recommendations for improvements to the  
27 portfolio requirements for new renewable capacity resources that must be met by  
28 competitive electricity providers in this State. The amendment specifically requires the  
29 commission to examine the costs and benefits of imposing additional requirements on  
30 owners and operators of new renewable capacity resources used to satisfy the new  
31 renewable portfolio requirements, which was proposed in the bill, and to develop  
32 recommendations to strengthen incentives for the development of new renewable  
33 resources within the State.

34 The amendment requires the commission to submit a report of its findings and  
35 recommendations for the portfolio requirements for new renewable capacity resources to  
36 the Joint Standing Committee on Utilities and Energy by January 15, 2010, and it  
37 authorizes the committee to submit legislation concerning this subject to the Second  
38 Regular Session of the 124th Legislature.

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 124th MAINE LEGISLATURE

LD 1061

LR 1222(02)

## An Act To Improve Maine's Renewable Portfolio Standard

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 additional costs to the Public Utilities Commission associated with reviewing and making recommendations for improvements to the new renewable portfolio requirements can be absorbed within existing budgeted resources.