

MAINE STATE LEGISLATURE

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L.D. 793

Date: 5-31-11

(Filing No. S-194)

ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE

SENATE

125TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 231, L.D. 793, Bill, "An Act To Protect Ratepayers While Enhancing Energy Independence and Security"

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

'Sec. 1. 38 MRSA §580-A, sub-§18-B is enacted to read:

18-B. Other independent system operator participating states. "Other independent system operator participating states" means the following states participating in the regional greenhouse gas initiative as of January 1, 2011 that are located within the New England independent system operator control area: Connecticut, Massachusetts, New Hampshire, Rhode Island and Vermont.

Sec. 2. 38 MRSA §580-B, sub-§2-A is enacted to read:

2-A. Condition for withdrawal. The State shall withdraw from the regional greenhouse gas initiative when a sufficient number of other independent system operator participating states have withdrawn such that the total carbon dioxide emissions budget for the calendar year 2009, as specified in the Memorandum of Understanding, of the remaining other independent system operator participating states is less than 35,000,000 tons. If the condition is met for withdrawal from the regional greenhouse gas initiative, the department shall:

A. Immediately take all necessary steps to withdraw the State from all memoranda of understanding and contracts with states participating in the regional greenhouse gas initiative relating to the regional greenhouse gas initiative; and

B. Submit legislation to the Legislature to make the necessary changes in law to reflect the State's withdrawal from the regional greenhouse gas initiative.'

SUMMARY

This amendment replaces the bill and requires the State to withdraw from the regional greenhouse gas initiative if other states that participate in the regional greenhouse gas

COMMITTEE AMENDMENT

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1 initiative and in the same wholesale electricity market administered and overseen by the
2 regional transmission organization as Maine have a total carbon dioxide emissions budget
3 for the calendar year 2009 that totals less than 35,000,000 tons.

FISCAL NOTE REQUIRED
(See Attached)



Approved: 05/24/11 *MAC*

125th MAINE LEGISLATURE

LD 793

LR 1236(02)

An Act To Protect Ratepayers While Enhancing Energy Independence and Security

Fiscal Note for Bill as Amended by Committee Amendment "A" S-194

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium revenue decrease - Other Special Revenue Funds

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

This bill requires Maine to withdraw from the Regional Greenhouse Gas Initiative (RGGI) if other states have withdrawn and the carbon dioxide emissions calendar year budget of the remaining states totals less than 35 million tons. If this contingency were to occur and Maine withdrew from the RGGI, the Efficiency Maine Trust (EMT) would lose \$8.5 million in revenue each fiscal year. The recurring fiscal year revenue loss reflects \$6.5 million in lost RGGI auction proceeds and \$2 million in lost forward capacity market proceeds. If this contingency does not occur and Maine does not withdraw from the RGGI, then this bill as amended will have no fiscal impact on the EMT. Any additional costs to the Department of Environmental Protection incurred in connection with withdrawing Maine from the RGGI can be absorbed within existing budgeted resources.