

MAINE STATE LEGISLATURE

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Date: 6/6/17

L.D. 755

(Filing No. H-424)

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ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE

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HOUSE OF REPRESENTATIVES

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128TH LEGISLATURE

8

FIRST REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to H.P. 535, L.D. 755, Bill, "An Act To Amend the Law Regarding Nontransmission Alternatives Investigations Required for Proposed Transmission Line Projects"

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

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'An Act To Amend the Law Regarding Nontransmission Alternatives Investigations Required for Proposed Transmission Lines and Projects'

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Amend the bill by inserting after the enacting clause and before section 1 the following:

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'Sec. 1. 35-A MRSA §3132, sub-§2, as amended by PL 2009, c. 309, §1, is further amended to read:

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2. Construction of transmission line. Except as otherwise provided in subsection 3-A, whenever any person proposes to erect within this State a transmission line capable of operating at 69 kilovolts or more, that person shall file a petition for the approval of the proposed line in accordance with subsection 2-C. The petition for approval must be set down for public hearing. The commission shall issue its order within 6 9 months after the petition is filed unless this period is extended either by agreement of all the parties or by the commission upon its determination that the party seeking the extension would, because of circumstances beyond that party's control, be unreasonably disadvantaged unless the extension were granted, as long as the party to that time had prosecuted its case in good faith and with due diligence.

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At the time of filing of a petition for approval of a proposed line under this section, the person filing the petition shall send a copy of the petition by certified mail to the municipal officers of the municipality or municipalities in which the line is to be located.'

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Amend the bill by inserting after section 3 the following:

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'Sec. 4. 35-A MRSA §3132-A, sub-§1, as enacted by PL 2013, c. 369, Pt. C, §8, is amended to read:

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COMMITTEE AMENDMENT

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1. Submission requirement. A person that proposes to undertake in the State a transmission project must provide the commission with the following information: a description of the need for the proposed transmission project.

~~A. Results of an investigation by an independent 3rd party, which may be the commission or a contractor selected by the commission, of nontransmission alternatives to construction of the proposed transmission project. The investigation must set forth the total projected costs of the transmission project as well as the total projected costs of the nontransmission alternatives over the effective life of the proposed transmission project; and~~

~~B. A description of the need for the proposed transmission project.~~

Sec. 5. 35-A MRSA §3132-A, sub-§1-A is enacted to read:

1-A. Nontransmission alternatives investigation. In considering whether to approve or disapprove all or portions of a proposed transmission project pursuant to subsection 2, the commission shall consider the results of an investigation by an independent 3rd party, which may be the commission or a contractor selected by the commission, of nontransmission alternatives to construction of the proposed transmission project. The investigation must set forth the total projected costs of the transmission project as well as the total projected costs of the alternatives over the effective life of the proposed transmission project.

Sec. 6. Nontransmission alternatives coordinator proceeding. By December 15, 2017, the Public Utilities Commission shall issue an order in the adjudicatory proceeding regarding the investigation into the designation of a nontransmission alternatives coordinator, Docket No. 2016-00049, and report the outcome of that proceeding to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2018.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment does the following:

1. It extends from 6 months to 9 months the time the Public Utilities Commission has to issue an order for a petition for the approval of a proposed line;

2. It changes the timing of a nontransmission alternatives investigation required for proposed transmission projects by requiring the investigation be completed during the course of the proceeding to consider the petition for an approval of a proposed transmission project instead of being done prior to filing that petition; and

3. It requires the Public Utilities Commission to issue an order in an adjudicatory proceeding regarding the investigation into the designation of a nontransmission

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COMMITTEE AMENDMENT "A" to H.P. 535, L.D. 755

1 alternatives coordinator and submit a report to the Joint Standing Committee on Energy,
2 Utilities and Technology by January 1, 2018 on the outcome of that proceeding.

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FISCAL NOTE REQUIRED

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(See attached)

COMMITTEE AMENDMENT



128th MAINE LEGISLATURE

LD 755

LR 654(02)

An Act To Amend the Law Regarding Nontransmission Alternatives Investigations Required for
Proposed Transmission Line Projects

Fiscal Note for Bill as Amended by Committee Amendment "A" (H424)

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Public Utilities Commission as a result of changes to the laws regarding the approval process for transmission lines and transmission projects are anticipated to be minor and can be absorbed within existing budgeted resources.