

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 756

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H.P. 536

House of Representatives, March 2, 2017

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**An Act To Clarify the Authority of an Affiliate of a Utility To Own  
Power Generation outside of the Utility's Territory**

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

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative HARVELL of Farmington.  
Cosponsored by Senator KEIM of Oxford and  
Representatives: COOPER of Yarmouth, DeCHANT of Bath, FARRIN of Norridgewock,  
HANLEY of Pittston, O'CONNOR of Berwick, WADSWORTH of Hiram, Senators: DION of  
Cumberland, WOODSOME of York.

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

2 **Sec. 1. 35-A MRSA §3204, sub-§11** is enacted to read:

3 **11. Affiliated generation outside service territory permitted.** Notwithstanding  
4 any other provision of this chapter, an affiliate of an investor-owned transmission and  
5 distribution utility may own generation or generation-related assets unless:

6 A. The generation or generation-related assets are interconnected to the transmission  
7 or distribution facilities that are owned or operated by the investor-owned  
8 transmission and distribution utility; or

9 B. The affiliate is a wholly owned or partially owned subsidiary of the investor-  
10 owned transmission and distribution utility.

11 For purposes of this subsection, "affiliate" means a person who has any ownership  
12 interest in, or is a subsidiary of a person who has any ownership interest in, the investor-  
13 owned transmission and distribution utility.

14 **SUMMARY**

15 This bill authorizes an affiliate of an investor-owned transmission and distribution  
16 utility to own generation or generation-related assets unless the assets are interconnected  
17 to the transmission or distribution facilities that are owned or operated by the utility or the  
18 affiliate is a wholly owned or partially owned subsidiary of the utility.