

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

SECOND REGULAR SESSION-2018

Legislative Document

No. 1699

H.P. 1179

House of Representatives, December 22, 2017

**An Act To Revise the Renewable Portfolio Standard Laws To Allow
Certain Hydropower Facilities To Qualify as New Renewable
Capacity Resources**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 19, 2017. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative RYKERSON of Kittery.
Cosponsored by Senator KEIM of Oxford.

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

2 **Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-4**, as amended by PL 2011, c. 413, §1, is
3 further amended to read:

4 B-4. "New" as applied to any renewable capacity resource means a renewable
5 capacity resource that:

6 (1) Has an in-service date after September 1, 2005;

7 (2) Was added to an existing facility after September 1, 2005;

8 (3) For at least 2 years was not operated or was not recognized by the New
9 England independent system operator as a capacity resource and, after September
10 1, 2005, resumed operation or was recognized by the New England independent
11 system operator as a capacity resource; ~~or~~

12 (4) Was refurbished after September 1, 2005 and is operating beyond its
13 previous useful life or is employing an alternate technology that significantly
14 increases the efficiency of the generation process; or

15 (5) A new license was received for after January 1, 2018 under the Federal
16 Energy Regulatory Commission rules, 18 Code of Federal Regulations, Part 16,
17 the total power production capacity of which as specified in the license does not
18 exceed 30 megawatts, and that is interconnected with an electric distribution
19 system located in the State.

20 For the purposes of this paragraph, "capacity resource" has the same meaning as in
21 section 3210-C, subsection 1, paragraph A. For the purposes of this paragraph, "to
22 refurbish" means to make an investment in equipment or facilities, other than for
23 routine maintenance and repair, to renovate, reequip or restore the renewable capacity
24 resource.

25 **SUMMARY**

26 This bill allows a hydropower facility licensed after January 1, 2018 with a licensed
27 capacity of no more than 30 megawatts that is interconnected with an electric distribution
28 system located in Maine to qualify as a new renewable capacity resource for purposes of
29 meeting renewable energy portfolio standard requirements.