

MAINE STATE LEGISLATURE

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Date: 4/18/19 Minority

L.D. 41
(Filing No. H-107)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 42, L.D. 41, Bill, "An Act To Replace Net Energy Billing with a Market-based Mechanism"

Amend the bill in section 1 in the first line (page 1, line 2 in L.D.) by striking out the following: "corrected by RR 2017, c. 1, §32" and inserting the following: 'amended by PL 2019, c. 16, §1'

Amend the bill in section 1 in §3209-A in subsection 2 in the first line (page 1, line 26 in L.D.) by striking out the following: "2019" and inserting the following: '2020'

Amend the bill in section 1 in §3209-A in subsection 2 in paragraph A in the 2nd line (page 1, line 30 in L.D.) by striking out the following: "2019" and inserting the following: '2020'

Amend the bill in section 1 in §3209-A in subsection 2 in paragraph A in the 2nd line (page 1, line 30 in L.D.) by striking out the following: "2034" and inserting the following: '2035'

Amend the bill in section 1 in §3209-A in subsection 2 in paragraph C in the 3rd line (page 1, line 36 in L.D.) by striking out the following: "50" and inserting the following: '100'

Amend the bill in section 1 in §3209-A in subsection 2 in paragraph C in the 4th line (page 1, line 37 in L.D.) by inserting after the following: "located in" the following: 'any portion of'

Amend the bill in section 1 in §3209-A in subsection 2 in paragraph C in the 2nd to the last line (page 2, line 2 in L.D.) by inserting after the following: "system" the following: 'for that portion of the service territory'

Amend the bill in section 1 in §3209-A in subsection 2 in paragraph D in the 2nd line (page 2, line 5 in L.D.) by striking out the following: "2019" and inserting the following: '2020'

Amend the bill in section 2 in §3209-B in subsection 4 in the 3rd line (page 3, line 6 in L.D.) by striking out the following: "50" and inserting the following: '100'

COMMITTEE AMENDMENT

1 Amend the bill in section 2 in §3209-B in subsection 5 in the first line (page 3, line 7
2 in L.D.) by inserting after the following: "to" the following: 'any portion of the service
3 territory of'

4 Amend the bill in section 2 in §3209-B in subsection 5 in the 4th line (page 3, line 10
5 in L.D.) by inserting after the following: "system" the following: 'for that portion of the
6 service territory'

7 Amend the bill by striking out all of section 3 and inserting the following:

8 '**Sec. 3. 35-A MRSA §3210-C, sub-§3-A** is enacted to read:

9 **3-A. Long-term contracts for community solar resources.** The commission shall
10 direct investor-owned transmission and distribution utilities to enter into long-term
11 contracts to procure, to the maximum extent possible, 20 megawatts of large-scale
12 community solar distributed generation resources in accordance with this section by
13 December 31, 2020. The long-term contract rate must be calculated annually. For
14 purposes of this subsection, "large-scale community solar distributed generation
15 resource" means a distributed generation resource with a nameplate capacity of greater
16 than 660 kilowatts that relies on solar photovoltaic arrays to generate electricity and is
17 community-based, as defined by the commission by rule. The commission shall adopt
18 rules to implement this subsection. The rules must include provisions to protect
19 electricity customers from any shift in responsibility for transmission and distribution
20 utility costs between customers that arises as a result of large-scale community solar
21 distributed generation resources. Rules adopted pursuant to this subsection are routine
22 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

23 **Sec. 4. PL 2019, c. 16, §2** is repealed.'

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

26 SUMMARY

27 This amendment does the following.

28 1. It changes the end date of eligibility to elect net energy billing from December 31,
29 2019 to December 31, 2020.

30 2. It allows net energy billing arrangements entered into prior to December 31, 2020
31 to remain in effect until December 31, 2035.

32 3. It limits to 100, rather than 50 in the bill, the number of eligible customers that
33 may participate in a single shared interest in an eligible facility or the number of meters
34 associated with a single shared interest under net energy billing and under the market-
35 based crediting system.

36 4. It clarifies the exceptions in the bill for northern Maine to specify that the
37 exception applies to the portion of a transmission and distribution utility's service territory
38 that is in an area administered by the independent system administrator for northern
39 Maine.

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5. It removes the cap in the bill of 6¢ per kilowatt-hour or the average wholesale electricity rate over the preceding 12 months, whichever is less, on the long-term contract rate for large-scale community solar distributed generation resources.

6. It requires the Public Utilities Commission to adopt rules to implement the long-term contracts for community solar distributed generation resources. It requires that these rules include provisions to protect electricity customers from any shift of responsibility for transmission and distribution utility costs between customers that arises as a result of community solar distributed generation resources.

FISCAL NOTE REQUIRED
(See attached)



Approved: 03/15/19 *MJC*

129th MAINE LEGISLATURE

LD 41

LR 299(02)

An Act To Replace Net Energy Billing with a Market-based Mechanism

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-107)

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 modifications to the laws regarding net energy billing, the establishment of a market-based crediting system, the procurement of community solar energy contracts and requiring that the Commission report on certain aspects of net energy billing and market-based crediting systems are anticipated to be minor and can be absorbed within existing budgeted resources.