

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

8WJ  
5/10/19

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Date: 5/10/19

**ENERGY, UTILITIES AND TECHNOLOGY**

Reproduced and distributed under the direction of the Clerk of the House.

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

COMMITTEE AMENDMENT "A" to H.P. 860, L.D. 1186, Bill, "An Act To Exempt Agricultural Fairs from the Assessment of Demand Charges for Electricity"

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

**'An Act To Address Electricity Costs of Agricultural Fairs'**

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

**'Sec. 1. 35-A MRSA §10124** is enacted to read:

**§10124. Agricultural fair assistance program**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Agricultural fair" has the same meaning as in Title 7, section 81, subsection 1.
- B. "Demand charge" means a charge on an electric bill that is based on the customer's peak demand for electricity.
- C. "Fund" means the agricultural fair assistance program fund established under subsection 3.
- D. "Program" means the agricultural fair assistance program established under subsection 2.

**2. Program established.** The trust shall establish and administer an agricultural fair assistance program to help agricultural fairs reduce electricity costs through the most cost-effective opportunities available. Under the program, the trust shall:

- A. Conduct outreach and provide technical assistance to agricultural fairs to:
  - (1) Identify opportunities to reduce electricity costs, including but not limited to opportunities to reduce peak electricity demand; and

**COMMITTEE AMENDMENT**

1           (2) Enroll agricultural fairs in existing programs offered by the trust as  
2           appropriate; and

3           B. Offer custom financial incentives to agricultural fairs to implement electric  
4           efficiency and conservation measures, including but not limited to measures to reduce  
5           peak electricity demand.

6           The program may use a definition of cost-effective other than the definition adopted by  
7           the trust pursuant to section 10110, subsection 2.

8           **3. Fund established.** The trust shall establish the agricultural fair assistance  
9           program fund as a nonlapsing fund administered by the trust to fund the program. The  
10           commission shall assess each transmission and distribution utility an amount necessary to  
11           collect the total amount of demand charges paid by agricultural fairs in the State to  
12           transmission and distribution utilities during the prior year. All amounts collected under  
13           this subsection must be transferred to the fund. Any interest earned on funds in the fund  
14           must be credited to the fund. Funds not spent in any fiscal year remain in the fund to be  
15           used by the program. The assessments charged to transmission and distribution utilities  
16           under this subsection are just and reasonable costs for rate-making purposes. The  
17           commission may issue any appropriate orders to transmission and distribution utilities  
18           necessary to achieve the goals of this subsection.

19           **4. Report.** No later than January 15, 2022 and January 15, 2024, the trust shall  
20           submit a report on the program to the joint standing committee of the Legislature having  
21           jurisdiction over energy and utility matters. The report must include information on  
22           program implementation, total deposits into and expenditures from the fund, program  
23           activity and reductions in peak electricity demand, energy consumption and electricity  
24           costs achieved. After receiving the report due by January 15, 2024, the committee may  
25           report out a bill relating to the program to the Second Regular Session of the 131st  
26           Legislature.

27           **5. Repeal; remaining funds.** This section is repealed June 30, 2024. In the event  
28           funds in the fund are not expended or contracted for expenditure as of June 30, 2024, the  
29           commission shall ensure that the value of those funds is returned to electricity consumers.

30           **Sec. 2. Rate design; proceeding; report.** The Public Utilities Commission shall  
31           open a proceeding to examine rate design and related issues for electricity customers that  
32           have seasonal, limited-duration, concentrated load profiles, including but not limited to  
33           agricultural fairs, seasonal festivals and other similar entities. In this proceeding, the  
34           commission shall examine options for alternative rate design, with particular attention to  
35           electricity demand charges, and identify other types of electricity customers, in addition  
36           to agricultural fairs, that may benefit from a program similar to that established under the  
37           Maine Revised Statutes, Title 35-A, section 10124. No later than December 1, 2019, the  
38           commission shall submit a report on its findings and recommendations under this section  
39           to the Joint Standing Committee on Energy, Utilities and Technology. The committee  
40           may report out a bill to the Second Regular Session of the 129th Legislature based on the  
41           report.'

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

R.0845

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19

**SUMMARY**

This amendment replaces the bill. The amendment establishes a program administered by the Efficiency Maine Trust to help agricultural fairs reduce electricity costs through efficiency and conservation. The program includes outreach and technical assistance to agricultural fairs to identify opportunities to lower electricity costs and enroll agricultural fairs in existing programs offered by the trust as appropriate. The program also provides custom financial incentives to agricultural fairs to implement electric efficiency and conservation measures, including but not limited to measures to reduce peak electricity demand. Funds for the program are set at the total amount paid in demand charges by agricultural fairs in the State during the prior year and are collected from electricity customers by transmission and distribution utilities. The trust is required to report to the Legislature on the program in January 2022 and January 2024, and the program has a sunset date of June 30, 2024.

The amendment also directs the Public Utilities Commission to examine rate design and related issues for electricity customers that, like agricultural fairs, have seasonal, limited-duration, concentrated load profiles. It requires the commission to submit a report on its findings and recommendations to the Joint Standing Committee on Energy, Utilities and Technology and authorizes the committee to report out a bill to the Second Regular Session of the 129th Legislature based on the report.

**FISCAL NOTE REQUIRED**  
(See attached)



# 129th MAINE LEGISLATURE

LD 1186

LR 827(02)

**An Act To Exempt Agricultural Fairs from the Assessment of Demand Charges for Electricity**

**Fiscal Note for Bill as Amended by Committee Amendment**

*A(H-228)*

**Committee: Energy, Utilities and Technology**

**Fiscal Note Required: Yes**

---

## Fiscal Note

Minor cost increase - Efficiency Maine Trust  
Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Any additional costs to the Efficiency Maine Trust (EMT) as a result of the implementation of a program to work with agricultural fair organizations to identify opportunities to lower electricity costs are anticipated to be minor and can be absorbed within the existing resources of the EMT. Any additional cost to the Public Utilities Commission (PUC) to examine the rate design and related issues of seasonal, limited duration, concentrated load profile customers and to report back on the findings is anticipated to be minor and can be absorbed within the existing budgeted resources of the PUC.