

# MAINE STATE LEGISLATURE

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L.D. 1959

Date: 4/13/22

(Filing No. S-550)

**REPORT A**  
**ENERGY, UTILITIES AND TECHNOLOGY**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**  
**SENATE**  
**130TH LEGISLATURE**  
**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 697, L.D. 1959, "An Act To Ensure Transmission and Distribution Utility Accountability"

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

**Sec. 1. 35-A MRSA §301, sub-§1-A is enacted to read:**

**1-A. Minimum service standards and report card for transmission and distribution utilities.** The commission shall adopt rules in accordance with this subsection governing the evaluation of transmission and distribution utility service, which must take into account the specific characteristics of each utility and its service territory. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**A. The rules must include specific, quantitative metrics pertaining to utility operations and activities relating to each of the following categories:**

**(1) Service quality, including but not limited to reliability of service and timeliness of restoring service after outages;**

**(2) Customer service, including but not limited to timeliness and accuracy of bills;**

**(3) Field services, including but not limited to communication with and responsiveness to municipalities, businesses and individuals; and**

**(4) Distributed energy resources interconnection.**

**B. The commission shall consider the cost impacts and benefits to ratepayers when establishing each service standard and metric pursuant to paragraph A and shall ensure that the performance of each service standard and metric may be measured using reliable and objective methods and information.**

**C. The commission shall set reporting requirements for each metric, including data specifications and reporting periods, adequate to track progress in areas of performance.**

1 D. The commission shall designate service standards based on thresholds of  
2 performance.

3 E. For each service standard, the commission shall require quarterly filing of  
4 quantifiable data sufficient for the commission to calculate and publish a quantitative  
5 score for the service standard.

6 F. The commission shall impose administrative penalties for designated thresholds of  
7 poor performance for service standards in accordance with section 1508-A, subsection  
8 1, paragraph E unless the utility demonstrates good cause for its failure to meet the  
9 standard.

10 G. The commission shall publish quarterly reports containing scores for each service  
11 standard for each utility.

12 H. Once every 3 years, the commission may audit the data reported by a utility for  
13 each standard.

14 **Sec. 2. 35-A MRSA §301, sub-§5** is enacted to read:

15 **5. Transmission and distribution utility report required; audits.** If the commission  
16 has not made a rate determination within the preceding 5 years for a transmission and  
17 distribution utility that serves more than 50,000 customers, the utility shall submit a report  
18 to the commission that includes a comparison of the utility's actual costs with cost estimates  
19 used in the utility's most recent rate case to set rates. Upon a finding of the commission  
20 that there was a difference of more than 10% between the transmission and distribution  
21 utility's actual costs and estimated costs, the commission may:

22 A. Require an audit of the transmission and distribution utility in accordance with  
23 section 113; or

24 B. Disallow cost recovery in the transmission and distribution utility's future rate cases.

25 This subsection takes effect January 15, 2024.

26 **Sec. 3. 35-A MRSA §301, sub-§6** is enacted to read:

27 **6. Investor-owned transmission and distribution utility expenditures;**  
28 **comparison.** No later than November 1, 2022, the commission shall initiate a proceeding  
29 to conduct a detailed comparison of the annual expenditures of each investor-owned  
30 transmission and distribution utility in the State with the annual expenditures of other  
31 comparable investor-owned transmission and distribution utilities located in the United  
32 States. When conducting this analysis, the commission shall identify specific categories in  
33 which spending by an investor-owned transmission and distribution utility significantly  
34 deviated from those expenditures of comparable investor-owned transmission and  
35 distribution utilities. The commission may use the results of this analysis in future rate  
36 cases involving an investor-owned transmission and distribution utility. The commission  
37 may undertake a new comparison or update an existing one in accordance with this  
38 subsection at any time the commission determines is necessary. For purposes of this  
39 subsection, a comparable investor-owned transmission and distribution utility is one that  
40 provides electricity delivery in a service territory in a northern climate that is primarily  
41 wooded and includes urban and rural areas.

42 **Sec. 4. 35-A MRSA §1316**, as amended by PL 1999, c. 398, Pt. A, §21 and affected  
43 by §§104 and 105, is further amended to read:

1 §1316. **Testimony presented by employees of public utilities ~~or, competitive service~~**  
 2 **electricity providers, affiliated interests or utility contractors to legislative**  
 3 **committees and to, the Public Utilities Commission and the Public Advocate**

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

6 A. "Employee" means a person who currently performs or formerly performed a  
 7 service for wages or other remuneration under a contract of hire, expressed or implied,  
 8 but does not include an independent contractor for a public utility, competitive  
 9 electricity provider, affiliated interest or utility contractor.

10 A-1. "Affiliated interest" has the same meaning as in section 707, subsection 1,  
 11 paragraph A.

12 B. "Employer" means a public utility ~~or, competitive service~~ electricity provider,  
 13 affiliated interest or utility contractor licensed to do business in this State with one or  
 14 more employees.

15 C. "Legislative committee" means a joint standing committee or a joint select  
 16 committee of the Legislature, a task force, commission or council or any other  
 17 committee established by the Legislature and composed wholly or partly of Legislators  
 18 for the purpose of conducting legislative business.

19 D. "Own time" means an employee's vacation or personal time, earned as a condition  
 20 of employment.

21 E. "Utility contractor" means a person that provides goods or services to a public utility  
 22 or competitive electricity provider.

23 **2. Right of employees to provide testimony.** ~~Employees of a public utility or~~  
 24 ~~competitive service provider~~ have the right to represent themselves and to testify before or  
 25 provide information to a legislative committee or, the commission or the Public Advocate  
 26 on their own time. An employee of a public utility or competitive service provider who  
 27 complies with this section may not be denied the right to testify before or provide  
 28 information to a legislative committee or, the commission or the Public Advocate.

29 **2-A. Right of utility contractors to provide testimony.** A utility contractor has the  
 30 right to testify before or provide information to a legislative committee, the commission or  
 31 the Public Advocate.

32 **3. Discharge of, threats to or discrimination against employees of utility service**  
 33 **providers for testimony presented to legislative committees or, the commission or the**  
 34 **Public Advocate.** ~~Unless otherwise provided for, a~~ A supervisor may not discharge,  
 35 threaten or otherwise discriminate against an employee ~~of a public utility or competitive~~  
 36 ~~service provider~~ regarding the employee's compensation, terms, conditions, location or  
 37 privileges of employment because the employee, in compliance with this section, in good  
 38 faith testifies before or provides information to a legislative committee ~~or to, the~~  
 39 commission or the Public Advocate regarding the operation of the business of a public  
 40 utility or competitive service provider or because the employee brings the subject matter  
 41 of the testimony or information to the attention of a person having supervisory authority.

42 This subsection does not apply to an employee who has testified before or provided  
 43 information to a legislative committee ~~or to, the commission or the Public Advocate~~ unless

1 the employee has first brought the subject matter of the testimony or information in writing  
 2 to the attention of a person having supervisory authority with the employer and has allowed  
 3 the employer a reasonable time to address the subject matter of the testimony or  
 4 information. If appropriate, the employer shall respond in writing.

5 **4. Exceptions.** ~~The protection~~ protections created in ~~subsection~~ subsections 3 ~~does~~  
 6 ~~and 9 do~~ not apply to testimony or information that, upon reasonable inquiry by the  
 7 employee or utility contractor, would be found to be false, ~~slanderous, libelous or~~  
 8 ~~defamatory or to testimony that violates a term or condition of a collectively bargained~~  
 9 ~~agreement or to testimony that discloses trade secrets or corporate strategy, the disclosure~~  
 10 ~~of which would result in harm to the employer.~~

11 **5. Civil actions for injunctive relief or other remedies by employees.** An employee  
 12 ~~of a public utility or competitive service provider~~ who alleges a violation of rights under  
 13 this section and who has made reasonable efforts to exhaust all grievance procedures, as  
 14 provided for in the contract of employment or ~~which that~~ otherwise may be available at the  
 15 employee's place of employment, may bring a civil action, including an action for  
 16 injunctive relief, within 90 days after the occurrence of that alleged violation or after the  
 17 grievance procedure or similar process terminates. The action may be brought in the  
 18 Superior Court for the county where the alleged violation occurred, the county where the  
 19 complainant resides or the county where the person against whom the civil complaint is  
 20 filed resides. An employee must establish each ~~and every~~ element of the employee's case  
 21 by a preponderance of the evidence.

22 **5-A. Civil actions for injunctive relief or other remedies by utility contractors.** A  
 23 utility contractor that alleges a violation of rights under this section may bring a civil action,  
 24 including an action for injunctive relief, within 90 days after the occurrence of that alleged  
 25 violation. The action may be brought in the Superior Court for the county where the alleged  
 26 violation occurred, the county where the complainant resides or the county where the  
 27 person against whom the civil complaint is filed resides. A utility contractor must establish  
 28 each element of the utility contractor's case by a preponderance of the evidence.

29 **6. Remedies ordered by court.** A court, in rendering a judgment in an action brought  
 30 pursuant to this section, may order reinstatement of the employee, the payment of back  
 31 wages, full reinstatement of fringe benefits and seniority rights or any combination of these  
 32 remedies. A If an employee or utility contractor is the prevailing party, a court may also  
 33 shall award the prevailing party employee or utility contractor all or a portion of the costs  
 34 of litigation, including reasonable attorneys' attorney's fees and witness fees, if the court  
 35 determines that the award is appropriate.

36 **7. ~~Collective bargaining rights~~ Agreements.** This section does not diminish or  
 37 impair the rights of a person under any collective bargaining agreement. A public utility,  
 38 competitive electricity provider or affiliated interest may not enter into an agreement  
 39 preventing employees from exercising their rights to testify before or provide information  
 40 to a legislative committee, the commission or the Public Advocate pursuant to this section.

41 **8. Jury trial; common-law rights.** Any action brought under this section may be  
 42 heard by a jury. Nothing in this section derogates any common-law rights of an employee  
 43 or employer.

44 **9. Contracts with utility contractors.** If a utility contractor, in compliance with this  
 45 section and in good faith, testifies before or provides information to a legislative committee,

1 the commission or the Public Advocate, a public utility or competitive electricity provider  
 2 may not respond to such action by the utility contractor by:

3 A. Terminating or threatening to terminate a contract with the utility contractor; or

4 B. Harming or threatening to harm the utility contractor financially.

5 **10. Notice of rights required.** A public utility and a competitive electricity provider  
 6 shall notify the public utility's and the competitive electricity provider's employees,  
 7 affiliated interests and utility contractors of their rights under this section.

8 **11. Penalties.** The commission may impose penalties for violations of this section.  
 9 This subsection does not apply in the case of an employee of a utility contractor alleging a  
 10 violation under subsection 3.

11 **12. Rulemaking.** The commission may adopt rules to implement this section. Rules  
 12 adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter  
 13 375, subchapter 2-A.

14 **Sec. 5. 35-A MRSA §1508-A, sub-§1, ¶E** is enacted to read:

15 E. In accordance with section 301, subsection 1-A, paragraph F, the commission shall  
 16 impose an administrative penalty on a transmission and distribution utility in an amount  
 17 that does not exceed \$1,000,000 or 10% of its annual gross revenue received from  
 18 ratepayers in the State, whichever amount is lower, that fails for 2 consecutive calendar  
 19 quarters or otherwise consistently fails to meet a standard established by the  
 20 commission pursuant to section 301, subsection 1-A, paragraph A. Each calendar  
 21 quarter that the transmission and distribution utility fails to meet the standard  
 22 constitutes a separate offense. The commission shall use the proceeds from the penalty  
 23 imposed under this paragraph to reduce energy costs for low-income customers.

24 **Sec. 6. 35-A MRSA §1513** is enacted to read:

25 **§1513. Divestiture of underperforming transmission and distribution utility**

26 The commission shall initiate an adjudicatory proceeding in accordance with this  
 27 section and section 708, subsection 2, paragraph A, subparagraph (8) to determine whether  
 28 divestiture of an investor-owned transmission and distribution utility is warranted if the  
 29 utility consistently fails to meet the service standards established in section 301, subsection  
 30 1-A, consistently fails to meet the requirements of section 301, subsection 1 or is unable to  
 31 fulfill its statutory duties as a public utility because it is financially impaired or if a  
 32 proceeding is requested by the Public Advocate. If, at the conclusion of the adjudicatory  
 33 proceeding, the commission determines that divestiture of an investor-owned transmission  
 34 and distribution utility is warranted, the following procedures apply.

35 **1. Consideration of proposals to acquire the utility or its assets.** The commission  
 36 shall request proposals from qualified buyers interested in acquiring the investor-owned  
 37 transmission and distribution utility or its assets.

38 **2. Determination by the commission.** The commission shall order the owner of the  
 39 investor-owned transmission and distribution utility to divest the utility if a proposal from  
 40 a qualified buyer:

- 1           A. Will result, over the long term, in net benefits to ratepayers in the form of lower
- 2           rates or better service than the rates and service provided by the investor-owned
- 3           transmission and distribution utility;
- 4           B. Is for a fair and reasonable purchase price that ensures that the owners of the
- 5           investor-owned transmission and distribution utility receive just compensation for the
- 6           sale of the utility or its assets;
- 7           C. Demonstrates that the buyer has sufficient financial and technical capability,
- 8           expertise and experience to own and operate the utility and the ability to comply with
- 9           all of the legal requirements, including but not limited to compliance with Title 38,
- 10           section 576-A and section 577, subsection 1, for an investor-owned transmission and
- 11           distribution utility; and
- 12           D. Will benefit ratepayers as determined in accordance with section 708, subsection 2,
- 13           paragraph C, subparagraph (2).
- 14           If more than one proposal meets the criteria established in this subsection, the commission
- 15           shall order divestiture in accordance with the proposal that results in the greatest net
- 16           benefits to ratepayers.

17           **3. Superior Court review.** Notwithstanding any other provision of this Title, an

18           investor-owned transmission and distribution utility may apply by petition to the Superior

19           Court of Kennebec County to determine whether the divestiture price determined by the

20           commission under subsection 2, paragraph B provides just compensation. The court shall

21           hold a hearing on the petition in which the parties are permitted to present factual and expert

22           testimony and other evidence concerning the value of the utility or its assets and shall

23           render a decision on whether the divestiture price determined by the commission provides

24           just compensation. The decision of the Superior Court may be appealed to the Supreme

25           Judicial Court sitting as the Law Court in the same manner as an appeal taken from a

26           judgment of the Superior Court in a civil action.

27           **Sec. 7. 35-A MRSA §3146** is enacted to read:

28           **§3146. Climate change protection plan**

29           No later than December 31, 2023, and every 3 years thereafter, a transmission and

30           distribution utility shall submit to the commission a 10-year plan that includes specific

31           actions for addressing the expected effects of climate change on the utility's assets needed

32           to transmit and distribute electricity to its customers. The commission shall request input

33           from interested parties on the transmission and distribution utility's plan and shall order the

34           transmission and distribution utility to take any action the commission determines is

35           reasonable and necessary to ensure that the utility will be able to continue to meet the

36           requirements of section 301, subsection 1 for the foreseeable future. A transmission and

37           distribution utility's prudently incurred costs in taking any action ordered by the

38           commission in accordance with this section are just and reasonable operating costs for rate-

39           making purposes.

40           **Sec. 8. 35-A MRSA §3147** is enacted to read:

41           **§3147. Integrated grid planning**

42           **1. Definitions.** As used in this section, unless the context otherwise indicates, the

43           following terms have the following meanings.

1           A. "Covered utility" means a large, investor-owned transmission and distribution utility  
 2           as defined in section 3201, subsection 12.

3           B. "Environmental justice" means the fair treatment and meaningful involvement of all  
 4           persons regardless of race, color, national origin or income with respect to the  
 5           development, implementation and enforcement of environmental laws, rules,  
 6           regulations and policies.

7           C. "Grid plan" means a 10-year integrated grid plan for a covered utility developed in  
 8           accordance with this section designed to improve system reliability and resiliency and  
 9           enable cost-effective compliance with the greenhouse gas reduction obligations and  
 10          climate policies pursuant to Title 38, section 576-A and section 577, subsection 1.

11          D. "Hosting capacity" means a threshold at a circuit at which new distributed energy  
 12          resources will result in upgrades or changes to the electrical distribution system and  
 13          require cost considerations of related upgrades and changes.

14          **2. Plan development.** The commission shall develop and implement grid plans for  
 15          covered utilities in order to transition to a clean, affordable and reliable electric grid in a  
 16          cost-effective manner. The commission may contract with an independent organization to  
 17          assist in development of a grid plan and shall hold technical conferences or stakeholder  
 18          workshops before the grid plan is developed to define requirements and inform data,  
 19          assumptions, methodologies and tools that will assist the commission in determining what  
 20          actions if any it will direct a covered utility to take. Covered utilities shall provide the  
 21          information requested by the commission in order to develop a grid plan. In developing the  
 22          grid plan, the commission shall solicit input from regional transmission entities with respect  
 23          to transmission system planning and experts in distribution system design with respect to  
 24          distribution system planning.

25          **3. Plan submission.** No later than December 15, 2023, and every 3 years thereafter,  
 26          the commission shall seek public comment on grid plans developed in accordance with this  
 27          section. The commission shall open an adjudicatory proceeding or proceedings on each  
 28          covered utility's grid plan and shall ensure to the greatest extent practicable that any  
 29          information related to the grid plan is provided in a form accessible to interested parties  
 30          and all relevant data and distribution planning modeling tools are available to stakeholders  
 31          subject to commercial nondisclosure requirements, confidential energy infrastructure  
 32          requirements, codes of conduct and other commercial requirements, commission  
 33          requirements and Federal Energy Regulatory Commission requirements. The commission  
 34          shall require each covered utility to implement the grid plan. For the initial grid plan, the  
 35          commission may provide a phase-in schedule to allow a covered utility to comply with  
 36          components incrementally. The commission shall develop reporting metrics, establish  
 37          baselines and track progress in implementing the grid plan.

38          **4. Plan revision and enforcement.** The commission may, at any time as it determines  
 39          necessary, revise a grid plan to address any deficiencies in the grid plan and may order a  
 40          covered utility to take any reasonable actions to align its business, programs, operations,  
 41          and investments with the plan. The commission may assess administrative penalties in  
 42          accordance with section 1508-A for any failure by a covered utility to follow any  
 43          commission order to align its business, programs, operations and investments with the plan.

44          **5. Contents of plan.** A grid plan developed under this section must:



1 A. Describe how the covered utility's assets and operations will be used to achieve the  
2 goals and implement the strategies of the State's climate action plan under Title 38,  
3 section 577 with specific reference to the climate action plan and incorporate relevant  
4 information from reports and analysis completed by other state agencies and quasi-  
5 independent state entities;

6 B. Evaluate the electric system of the covered utility and its relationship to the regional  
7 grid;

8 C. Include a 3-year action plan to optimize near-term grid investments and operations  
9 consistent with the grid plan;

10 D. For strategies related to customer energy consumption and usage characteristics,  
11 reference and incorporate all relevant elements of the Efficiency Maine Trust triennial  
12 plan developed under section 10104, subsection 4, including all of the trust's analysis  
13 of cost-effective potential for energy efficiency savings; plans to implement energy  
14 efficiency programs, demand management programs, beneficial electrification  
15 programs such as heat pump and electric vehicle initiatives and energy storage  
16 initiatives; and analysis of nonwires alternative opportunities;

17 E. Include more than one planning scenario and mechanisms for achieving grid plan  
18 goals, which may include, but are not limited to, policies, programs, rates, use of  
19 software or technology and infrastructure planning, including nonwires alternatives;  
20 and

21 F. Include, at a minimum, the following:

22 (1) Forecasts of projected load, including forecasts of end-use electrification,  
23 energy efficiency and distributed energy resources;

24 (2) Baseline energy supply data and assessments, including but not limited to  
25 planned generation retirements and new generation that is planned or needed  
26 including generation of electricity from renewable sources and from energy storage  
27 installations;

28 (3) An analysis of hosting capacity, including locational benefits of distributed  
29 energy resources and areas of existing or potential system congestion;

30 (4) An analysis of available and emerging technologies necessary to enable load  
31 management and flexibility; and

32 (5) An assessment of the environmental, equity and environmental justice effects  
33 of the grid plan.

34 6. Costs. A covered utility's prudently incurred costs in taking any action ordered by  
35 the commission in accordance with this section are just and reasonable operating costs for  
36 rate-making purposes.

37 **Sec. 9. Plan status to committee.** No later than October 15, 2023, the Public  
38 Utilities Commission shall provide an interim report regarding the status of the  
39 development of grid plans under the Maine Revised Statutes, Title 35-A, section 3147 to  
40 the joint standing committee of the Legislature having jurisdiction over energy and utility  
41 matters. No later than July 15, 2024, the commission shall submit a final report on the  
42 development of grid plans to the committee. The joint standing committee of the  
43 Legislature having jurisdiction over energy and utility matters may report out a bill in

1 connection with the interim report provided by the commission to the Second Regular  
2 Session of the 131st Legislature and the final report provided by the commission to the  
3 First Regular Session of the 132nd Legislature.

4 **Sec. 10. Adoption of rules by Public Utilities Commission establishing**  
5 **minimum requirements.** No later than June 30, 2023, the Public Utilities Commission  
6 shall adopt the rules required by the Maine Revised Statutes, Title 35-A, section 301,  
7 subsection 1-A.

8 **Sec. 11. Assessment of resources needs at Public Utilities Commission.** No  
9 later than December 1, 2022, the Public Utilities Commission shall provide to the joint  
10 standing committee of the Legislature having jurisdiction over energy and utility matters a  
11 report that includes an assessment of staffing and resources that may be necessary to  
12 implement the Maine Revised Statutes, Title 35-A, section 3147. After receiving the report,  
13 the committee may report out legislation on the subject matter of the report to the 131st  
14 Legislature in 2023.

15 **Sec. 12. Appropriations and allocations.** The following appropriations and  
16 allocations are made.

17 **PUBLIC UTILITIES COMMISSION**

18 **Public Utilities - Administrative Division 0184**

19 Initiative: Provides allocations for 5 Staff Attorney positions, 6 Utility Analyst positions  
20 and associated All Other costs.

21	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2021-22</b>	<b>2022-23</b>
22	POSITIONS - LEGISLATIVE COUNT	0.000	11.000
23	Personal Services	\$0	\$590,546
24	All Other	\$0	\$102,245
25			
26	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$692,791

27

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

30

**SUMMARY**

31 This amendment replaces the bill. This amendment:

32 1. Requires the Public Utilities Commission to adopt rules governing the evaluation  
33 of transmission and distribution utility performance and establishing metrics for utility  
34 operations and activities related to service quality, customer service, field services and  
35 distributed energy resources interconnection. The commission must publish quarterly  
36 report cards on utility performance and must impose administrative penalties for a utility's  
37 poor performance unless the utility demonstrates good cause for its failure to meet the  
38 service standards;

39 2. Authorizes the commission to perform audits or disallow cost recovery for certain  
40 transmission and distribution utilities when the commission has not made a rate  
41 determination in the preceding 5 years;

- 1           3. Requires the commission to conduct a detailed expenditure analysis for certain
- 2 transmission and distribution utilities;
- 3           4. Clarifies and adds protections for utility contractors and employees of utilities,
- 4 competitive electricity providers, affiliated interests and utility contractors who provide
- 5 testimony to legislative committees, the commission or the Public Advocate;
- 6           5. Establishes a new administrative penalty provision specific to violations of the
- 7 service standard requirements in the Maine Revised Statutes, Title 35-A, section 301,
- 8 subsection 1-A;
- 9           6. Provides for a process for divesting an underperforming investor-owned utility of
- 10 its utility assets to a qualified buyer;
- 11           7. Requires transmission and distribution utilities to develop and submit to the
- 12 commission a 10-year plan including specific actions for addressing the expected effects
- 13 of climate change;
- 14           8. Requires the commission to develop integrated grid plans for certain transmission
- 15 and distribution utilities using information provided by the transmission and distribution
- 16 utilities. The grid plan must be designed to improve system reliability and resiliency and
- 17 enable cost-effective achievement of greenhouse gas reduction and climate policy goals;
- 18           9. Requires the commission to provide reports to the joint standing committee of the
- 19 Legislature having jurisdiction over energy and utility matters regarding the status of the
- 20 development of grid plans no later than October 15, 2023 and July 15, 2024;
- 21           10. Requires the commission to adopt rules to implement the requirements of Title
- 22 35-A, section 301, subsection 1-A no later than June 30, 2023; and
- 23           11. Requires the commission to provide a report to the joint standing committee of the
- 24 Legislature having jurisdiction over energy and utility matters including an assessment of
- 25 staffing and resources that may be necessary to implement the integrated grid planning
- 26 provisions in Title 35-A, section 3147.

27           The amendment adds an appropriations and allocations section.

**FISCAL NOTE REQUIRED**  
**(See attached)**

28  
29



# 130th MAINE LEGISLATURE

LD 1959

LR 2562(02)

## An Act To Ensure Transmission and Distribution Utility Accountability

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-550)  
Committee: Energy, Utilities and Technology  
Fiscal Note Required: Yes

### Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$692,791	\$2,520,361	\$2,201,658
<b>Revenue</b>				
Other Special Revenue Funds	\$0	\$692,791	\$2,524,361	\$2,201,658

### Correctional and Judicial Impact Statements

This bill may increase the number of civil suits filed in the court system. The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time. The collection of additional filing fees may increase General Fund revenue by minor amounts.

### Fiscal Detail and Notes

This bill establishes new performance standards for transmission and distribution utilities operating in the State and creates new oversight responsibilities for the Public Utilities Commission (PUC). The bill includes ongoing allocations of \$692,791 beginning in fiscal year 2022-23 for six Utility Analyst positions and 5 Staff Attorney positions and associated All Other costs. The PUC will also require additional allocations of \$650,000 in fiscal year 2023-24 and \$250,000 for contracted services related to the additional reporting requirements outlined in the bill. The PUC is funded by an assessment set to produce sufficient revenue for the expenditures allocated by the Legislature for operating the PUC. The increased allocations in this bill require a corresponding increase in revenue from the assessment on transmission and distribution utilities.