

# 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)

Date:

6/18/25

(Filing No. H- 779)

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

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1188,  
L.D. 1777, "An Act to Clarify Tariff Rates for Nonresidential Customers Participating in  
Net Energy Billing with a Distributed Generation Resource"

Amend the amendment by striking out all of section 1.

Amend the amendment in section 2 in subsection 2-A in the 2nd line (page 1, line 22  
in amendment) by striking out the following: "include an" and inserting the following:  
'include a delivery period'

Amend the amendment by striking out all of sections 3 and 4 and inserting the  
following:

'Sec. 3. 35-A MRSA §3209-A, sub-§10 is enacted to read:

10. Applicability; net energy billing agreement. After December 31, 2025, the  
commission may not allow a transmission and distribution utility to enter into a net energy  
billing agreement with a distributed generation resource that is interconnected or planned  
to be interconnected to the distribution grid on the utility side of a customer's utility meter.

Sec. 4. 35-A MRSA §3209-A, sub-§11 is enacted to read:

11. Distributed energy resource program. Notwithstanding any provision of this  
section to the contrary, after December 31, 2025, the commission may not allow a  
transmission and distribution utility to enter into a net energy billing agreement with a  
distributed generation resource that is interconnected or planned to be interconnected to the  
distribution grid on the utility side of a customer's utility meter.'

Amend the amendment in section 5 in subsection 5 in paragraph A-2 in subparagraph  
(2) by striking out all of division (a) (page 3, lines 15 to 20 in amendment) and inserting  
the following:

'(a) Equal the tariff rate established by the commission pursuant to paragraph  
A that was applicable in 2025 to the rate class of the customer receiving the  
credit; and'

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

'Sec. 7. 35-A MRSA §3209-B, sub-§9 is enacted to read:

9. Distributed energy resource program. Notwithstanding any provision of this section to the contrary, after December 31, 2025, the commission may not allow a transmission and distribution utility to enter into a net energy billing agreement with a distributed generation resource that is interconnected or planned to be interconnected to the distribution grid on the utility side of a customer's utility meter.'

Amend the amendment by striking out all of section 13 and inserting the following:

'Sec. 13. 35-A MRSA §3209-I is enacted to read:

**§3209-I. Front of meter distributed energy resource program**

**1. Front of meter distributed energy resource defined.** As used in this section, "front of the meter distributed energy resource" means an electric generating facility that uses a renewable fuel or technology under section 3210, subsection 2, paragraph B-3, is located in the service territory of a transmission and distribution utility in the State and is interconnected to the distribution grid on the utility side of a customer's utility meter.

**2. Program design; implementation.** The Governor's Energy Office shall design a program or programs to encourage the development of front of the meter distributed energy resources in the State and submit the proposed program or programs to the commission. If the commission finds that a program or programs proposed by the office provide benefits to ratepayers in the State in excess of the costs to ratepayers, the commission shall by rule implement the program or programs.

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

Amend the amendment in section 15 in the first paragraph in the 5th line (page 7, line 28 in amendment) by inserting after the following: "proposed" the following: 'front of the meter'

Amend the amendment in section 15 in the first paragraph in the 6th line (page 7, line 29 in amendment) by inserting after the following: "for" the following: 'front of the meter'

Amend the amendment in section 15 in the first paragraph in the 2nd to last line (page 7, line 30 in amendment) by striking out the following: "section, "distributed" and inserting the following: 'section, "front of the meter distributed'

Amend the amendment in section 16 by striking out all of subsection 4 (page 8, lines 36 and 37 in amendment) and inserting the following:

'4. Prohibit participation in more than one net energy billing agreement pursuant to Title 35-A, section 3209-A, subsection 3 per residential account simultaneously.'

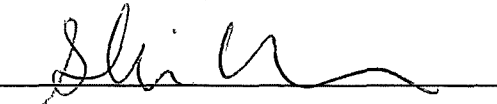
Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment amends Committee Amendment "A" by removing the definition of "mechanical completion." The amendment clarifies the meaning of "end date" in the provision regarding net energy billing term lengths. It changes the applicability of the kilowatt-hour credit net energy billing program from mechanically complete resources on

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1188, L.D. 1777

1 June 1, 2026 to those resources with a net energy billing agreement on December 31, 2025  
2 and changes other applicability dates to December 31, 2025 accordingly. The amendment  
3 clarifies the new tariff rate for projects of less than 3 megawatts. The amendment clarifies  
4 the definition of "front of the meter distributed energy resource." The amendment clarifies  
5 the application of consumer protections from one net energy billing agreement per  
6 residential customer to one agreement per residential account.

7 SPONSORED BY:   
8 (Representative WARREN, S.)  
9 TOWN: Scarborough

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



# 132nd MAINE LEGISLATURE

LD 1777

LR 2335(04)

**An Act to Clarify Tariff Rates for Nonresidential Customers Participating in Net Energy Billing with  
a Distributed Generation Resource**

Fiscal Note for House Amendment "A" to Committee Amendment "A" (H-779)

Sponsor: Rep. Warren of Scarborough

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 from the provisions of this amendment are expected to be minor and can be absorbed within existing budgeted resources.