

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**SECOND SPECIAL SESSION**  
**June 19, 2018 to September 13, 2018**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**DECEMBER 13, 2018**

**ONE HUNDRED AND TWENTY-NINTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 5, 2018 to June 20, 2019**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 19, 2019**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2019**

**CHAPTER 86**  
**S.P. 617 - L.D. 1827**

**Resolve, To Designate a Bridge  
in Indian Purchase Township  
the Detective Benjamin  
Campbell Bridge**

**Sec. 1. West Branch Bridge renamed. Resolved:** That the Department of Transportation shall designate Bridge 3666 on Route 11 in T3 Indian Purchase Township, currently known as the West Branch Bridge, the Detective Benjamin Campbell Bridge.

See title page for effective date.

**CHAPTER 87**  
**S.P. 284 - L.D. 994**

**Resolve, To Require the  
Approval by the Public Utilities  
Commission of a Proposal for a  
Long-term Contract for  
Deep-water Offshore Wind  
Energy**

**Preamble. Whereas,** legislative power is defined by limitation, not by grant, and is absolute except as restricted by the Constitution of Maine; and

**Whereas,** regulation of public utilities is a function of the Legislature, or a subordinate body, in the exercise of the police powers, as an attribute of sovereignty; and

**Whereas,** the Legislature's delegation of authority to the Public Utilities Commission may be withdrawn, modified or superseded in whole or in part from time to time by the Legislature by specific legislative act or resolve exercising the Legislature's absolute authority; and

**Whereas,** in 2010, the 124th Legislature enacted An Act To Implement the Recommendations of the Governor's Ocean Energy Task Force, Public Law 2009, chapter 615, finding that development of offshore wind energy projects in the Gulf of Maine is in the public interest; and

**Whereas,** Public Law 2009, chapter 615, Part A, section 6 directed the Public Utilities Commission to conduct a competitive solicitation for proposals for long-term contracts to supply installed capacity and associated renewable energy and renewable energy credits from one or more deep-water offshore wind energy or tidal energy demonstration projects and further directed the commission to make every effort to effectuate any such project; and

**Whereas,** on July 9, 2013, the Public Utilities Commission issued a request for proposals for long-term contracts for deep-water offshore wind energy pilot projects; and

**Whereas,** on August 30, 2013, Maine Aqua Ventus I, GP, LLC submitted a responsive proposal to the Public Utilities Commission in response to the request for proposals; and

**Whereas,** the Public Utilities Commission evaluated the Maine Aqua Ventus proposal and by orders issued February 13, 2014 and February 19, 2014 in Docket No. 2010-00235 selected Maine Aqua Ventus as the seller to transfer to Central Maine Power Company transmission and distribution capacity and associated energy produced by its deep-water offshore wind energy pilot project, subject to certain terms and conditions, referred to as "the term sheet," set forth in the February 13, 2014 and February 19, 2014 orders; and

**Whereas,** in its February 19, 2014 order approving the term sheet, the Public Utilities Commission found that Maine Aqua Ventus had satisfied each of the 6 criteria enacted by the Legislature in Public Law 2009, chapter 615, Part A, section 6, subsection 1, paragraphs A to F as prerequisites to ordering a transmission and distribution utility to enter into a long-term contract for the purchase of energy and capacity from Maine Aqua Ventus; and

**Whereas,** consistent with the terms and conditions set forth by the Public Utilities Commission in its February 2014 orders, Maine Aqua Ventus and Central Maine Power Company negotiated and drafted a long-term contract for capacity and associated energy following a series of meetings involving Maine Aqua Ventus, Central Maine Power Company, the Office of the Public Advocate and commission staff and legal counsel and filed the final draft with the Public Utilities Commission in December 2017; and

**Whereas,** in January 2018, the Public Utilities Commission delayed the contract's approval and solicited public comment on whether to reconsider the February 2014 orders approving the term sheet; and

**Whereas,** on June 12, 2018, the Public Utilities Commission decided, despite objections from Maine Aqua Ventus and the great majority of public commenters, to not act on the long-term contract between Maine Aqua Ventus and Central Maine Power Company filed with the commission in December 2017 and by order issued August 6, 2018 reopened the proceeding to reconsider the February 2014 orders; and

**Whereas,** since 2010, scientists and energy experts in the State and around the world have increasingly concluded that offshore wind will make a major contribution to the expansion of essential renewable energy generation, reducing reliance on fossil fuels