

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 electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
129TH LEGISLATURE
FIRST SPECIAL AND SECOND REGULAR SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

November 2020

MEMBERS:

SEN. MARK W. LAWRENCE, CHAIR
SEN. DAVID R. MIRAMANT
SEN. DAVID WOODSOME*
SEN. DANA L. DOW*

REP. SETH A. BERRY, CHAIR
REP. DEANE RYKERSON
REP. CHRISTINA RILEY
REP. CHRISTOPHER JAMES CAIAZZO
REP. VICTORIA W. DOUDERA
REP. NICOLE GROHOSKI
REP. CHRISTOPHER J. KESSLER
REP. JEFFERY P. HANLEY
REP. CHAD WAYNE GRIGNON
REP. STEVEN D. FOSTER

STAFF:

LUCIA NIXON, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

*Committee member for a portion of the session

STATE OF MAINE

129TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Energy, Utilities and Technology

LD 13

An Act To Allow Microgrids That Are in the Public Interest

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	OTP-AM ONTP	

This bill was carried over in committee from the First Regular Session of the 129th Legislature by joint order, H.P. 1322.

This bill directs the Public Utilities Commission to approve a petition to construct and operate a new microgrid if the commission finds the proposal to be in the public interest and the new microgrid meets other specified requirements. It provides the commission with the ability to impose such terms, conditions or requirements as, in its judgment, it considers necessary in approving a new microgrid and also gives the commission oversight to ensure reliability and security of the electrical system and consumer protections for new microgrid consumers. It specifies that a new microgrid does not become a public utility as a result of its furnishing electrical service to participating consumers. It provides that a new microgrid that has been approved by the commission may construct, maintain or operate its lines in, upon, along, over, across or under the roads and streets. The bill directs the Public Utilities Commission to submit a report regarding its activities relating to new microgrids to the joint standing committee of the Legislature having jurisdiction over energy and utility matters by January 15, 2021.

Committee Amendment "A" (H-742)

This amendment is the majority report of the committee. The amendment makes the following changes to the bill:

1. Clarifies the definitions of "distributed energy resources" and "new microgrid";
2. Amends the requirements for approval of a new microgrid to: increase the maximum load from 10 to 25 megawatts; require that the microgrid be located in a service territory of a transmission and distribution utility with more than 50,000 customers; clarify the renewable portfolio requirements the new microgrid must meet; and remove the prohibition in the bill that a person owning or operating the new microgrid may not be an investor-owned utility or affiliate;
3. Adds a provision to require that any increases in costs to the electric transmission and distribution system in the State as a result of the new microgrid must be fully recovered from the microgrid owner and customers of the microgrid and not passed on to other electric ratepayers;
4. Revises the dates in the bill to reflect that the bill is being considered in 2020 rather than 2019; and
5. Adds language to clarify that this legislation does not modify or nullify the framework and precedent for analyzing whether an entity is a transmission and distribution utility or a competitive electricity provider established by the Public Utilities Commission in related cases.

At adjournment, this amendment had been adopted by the House and had not been taken up by the Senate. This bill was carried over in the House to any special session of the 129th Legislature by joint order, S.P. 788.