

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
SECOND REGULAR SESSION



Disposition of bills and summaries of all laws enacted or finally passed

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

July 2022

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STAFF:

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

JOINT STANDING COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

LD 245 An Act Regarding Consumer-owned Water Utilities

ENACTED LAW SUMMARY

Public Law 2021, chapter 711 allows the Public Utilities Commission to appoint a receiver to oversee the operations of a consumer-owned water utility if after opening an investigation the commission determines that the board of the utility lacks a sufficient number of trustees to constitute a quorum. The commission may include the costs associated with appointing a receiver in the utility assessment charged to consumer-owned water utilities in accordance with Maine Revised Statutes, Title 35-A, section 116, subsection 1. The commission may adopt standards and procedures necessary for the administration of the law by rule.

LD 318 Resolve, To Direct the Office of the Public Advocate To Study Reforming Maine's System of Retail Electricity Supply To Provide More Options to Maine Customers and Support Maine's Climate Goals

ENACTED LAW SUMMARY

Resolve 2021, chapter 164 directs the Office of the Public Advocate to conduct a study of options for reforming the State's current system of retail electricity supply to provide greater competition among retail electricity supply providers and more options and protections for customers. The office must examine options relating to the State's standard offer system for facilitating the achievement of the State's climate goals and beneficial electrification. The resolve requires the Public Advocate to ensure that the study examines: methods of protecting customer rights and interests; the development and adoption of customer protections; energy supply issues related to climate change and beneficial electrification; possible alternatives to the State's standard offer service; and ways to improve customer satisfaction and service quality during any transition to identified standard offer alternatives. The office must consult with various stakeholders and is authorized to retain one or more consultants. At the conclusion of the study and after an opportunity for public comment on the draft study, the Public Advocate must submit a final report with any recommendations and suggested legislation to the joint standing committee of the Legislature having jurisdiction over electric utility matters by February 1, 2023. The committee may report out a bill relating to the results of the study to the 131st Legislature in 2023.

LD 337 An Act Regarding the Powers of the Efficiency Maine Trust and the Maine Clean Energy and Sustainability Accelerator

ENACTED LAW SUMMARY

Public Law 2021, chapter 600 provides that the Efficiency Maine Trust, in carrying out its duties, has the power to make agreements, obtain certifications or other representations necessary or useful for performing its powers and duties, insure or guarantee performance of obligations, contract for professional services, and acquire and dispose of real or personal property. The law

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makes changes to the Maine Clean Energy and Sustainability Accelerator finance program to allow the accelerator to lend money or otherwise extend credit through various mechanisms and to provide capital to qualified projects in the form of leases. The law also expands the description of the sources of capital for the program.

LD 634 An Act To Reduce Volatility in the Net Energy Billing Program and To Define “Competitive Electricity Provider”

ENACTED LAW SUMMARY

Public Law 2021, chapter 659 does the following.

1. It limits the applicability of the tariff rate under the Maine Revised Statutes, Title 35-A, section 3209-B, subsection 5, paragraph A to distributed generation resources with a nameplate capacity of one megawatt or less and distributed generation resources with a nameplate capacity over one megawatt that are collocated with net energy billing customers subscribed to at least 50% of the facility’s output or that have certified that the resources have commenced physical work of a significant nature before September 1, 2022 and will continue to make continuous on-site construction efforts to advance toward completion.
2. It establishes an alternative tariff rate applicable to distributed generation resources that do not qualify for the tariff rate described above.
3. It allows the commission to adopt rules related to the administration of the tariff rate program.
4. It changes the way that the minimum nameplate capacity for a distributed generation resource used in connection with residential net energy billing is stated from at least two megawatts to greater than two megawatts.
5. It replaces the term “competitive service provider” with “competitive electricity provider” in Maine Revised Statutes, Title 35-A.

LD 682 Resolve, To Monitor Northern and Rural Energy

ENACTED LAW SUMMARY

Resolve 2021, chapter 158 directs the Governor’s Energy Office, in coordination with the Office of the Public Advocate and the Public Utilities Commission, to monitor factors that directly affect energy supply and costs in the service territory of the northern Maine independent system administrator and in other rural or geographically isolated communities in the State. The Governor’s Energy Office is authorized to engage in related activities, including examining