

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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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

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regulatory or utility planning processes and convening stakeholders to examine related issues. The office must report on its activities, including any findings and recommendations, to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by February 1, 2023.

LD 1107 Resolve, Directing the Maine Connectivity Authority To Take Further Actions To Bring High-speed Broadband to Unserved Areas

ENACTED LAW SUMMARY

Resolve 2021, chapter 161 directs the Maine Connectivity Authority to seek to encourage and support regional partnerships among appropriate entities to identify and implement strategies to bring high-speed broadband to unserved areas of the State. By January 15, 2023, the authority must report to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters any federally approved plans for funding these strategies, including through the United States Department of the Treasury's Capital Projects Fund or the United States Department of Commerce, National Telecommunications and Information Administration's Broadband Equity, Access, and Deployment Program funded by the federal Infrastructure Investment and Jobs Act.

LD 1202 An Act To Establish a Wood-fired Combined Heat and Power Program

ENACTED LAW SUMMARY

Public Law 2021, chapter 604 establishes the combined heat and power program, administered by the Public Utilities Commission, to encourage the sustainable development of combined heat and power projects that use wood fuel in the State. The law establishes the following with respect to the program:

1. It limits the program to 20 megawatts of net generating capacity across all projects, and the net generating capacity of each individual project may not be less than three megawatts or more than 10 megawatts;
2. It permits the commission to direct investor-owned transmission and distribution utilities to enter into long-term contracts with program participants located within the service territory of each utility for energy, capacity resources or renewable energy credits;
3. It allows consumer-owned transmission and distribution utilities, at their own option, enter into long term contracts for energy, capacity resources or renewable energy credits;
4. It limits long-term contracts entered into under the combined heat and power program to a contract term not greater than 20 years for a contract price may not exceed 10 cents per