



132nd MAINE LEGISLATURE

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Legislative Document

No. 2112

H.P. 1427

House of Representatives, January 7, 2026

An Act to Authorize Municipalities to Form Community Choice Aggregation Programs to Procure Electricity

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in black ink, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RUNTE of York.

Cosponsored by Representative: SACHS of Freeport, Senator: LAWRENCE of York.

1 Be it enacted by the People of the State of Maine as follows:

2 Sec. 1. 35-A MRSA §3218 is enacted to read:

3 **§3218. Community choice aggregation program**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
5 following terms have the following meanings.

6 A. "Aggregator" means an electric distribution utility engaged by a municipality or
7 group of municipalities to aggregate customers under a community choice aggregation
8 program approved under subsection 2.

9 B. "Community choice aggregation program" means a program through which a
10 municipality or group of municipalities engage an aggregator to aggregate the electric
11 load of its residents, businesses and municipal accounts to procure electricity on their
12 behalf.

13 C. "Default service" means the standard-offer service provided by an electric
14 distribution utility to a customer that does not choose a competitive electricity provider.

15 D. "Electric distribution utility" means an investor-owned transmission and
16 distribution utility that owns and operates the infrastructure for delivering electricity to
17 customers.

18 E. "Purchase of receivables program" means a program in which an electric
19 distribution utility purchases the accounts receivable of a community choice
20 aggregation program at a discount rate and assumes the risk of customer nonpayment.

21 **2. Community choice aggregation program plan.** A municipality or group of
22 municipalities with a community choice aggregation program plan that has been approved
23 by the commission pursuant to this subsection may engage an aggregator to aggregate the
24 customers within the municipality's or group of municipalities' boundaries that do not opt
25 out of the community choice aggregation program or that consent to being included in the
26 community choice aggregation program. The municipality or group of municipalities must
27 agree to adopt a plan under this subsection by majority vote of the municipal legislative
28 body or governing board. The commission, through rulemaking described in subsection
29 11, shall establish the procedures necessary for a municipality or group of municipalities
30 to establish a community choice aggregation program and obtain plan approval from the
31 commission.

32 Upon receiving plan approval from the commission, all eligible customers on default
33 service within the municipality's or group of municipalities' jurisdiction must be
34 automatically enrolled in the community choice aggregation program unless they
35 affirmatively opt out.

36 **3. Customer notification.** A municipality or group of municipalities that receives
37 approval for a community choice aggregation program plan under subsection 2 shall send
38 customers at least one written notice via first-class mail and publish one newspaper notice
39 informing the customers of the following:

40 A. The program details;

41 B. The right to opt out of the program without penalty; and

42 C. The process and deadline for opting out of the program.

1 **4. Customer protections.** Customers under a community choice aggregation program
2 share the same protections currently established for those customers that receive electricity
3 from competitive electricity providers under section 3203.

4 **5. Protections for low-income and electric assistance program customers.** The
5 following protections apply to low-income customers and electric assistance program
6 customers enrolled in a community choice aggregation program.

7 A. Enrollment in a community choice aggregation program does not affect a
8 customer's eligibility for or receipt of benefits under an electric assistance program or
9 any other low-income assistance program.

10 B. All discounts, credits and protections afforded to low-income customers under
11 electric distribution utility-administered programs continue to apply without
12 interruption or modification.

13 C. Low-income customers may not be subject to any additional fees, charges or
14 penalties as a result of participation in a community choice aggregation program.

15 D. Community choice aggregation programs must include targeted outreach to low-
16 income and vulnerable populations to ensure awareness of their rights, benefits and
17 opt-out options.

18 **6. Purchase of receivables program.** The commission shall require each electric
19 distribution utility to implement a purchase of receivables program applicable to a
20 community choice aggregation program. Under the purchase of receivables program,
21 electric distribution utilities shall purchase receivables from community choice aggregation
22 programs at a discount rate approved by the commission. The purchase rates must reflect:

23 A. Historical rates of uncollectible accounts;

24 B. Administrative costs; and

25 C. Risk-adjusted capital costs.

26 **7. Billing and collection.** With regard to billing and collection under a community
27 choice aggregation program plan approved under subsection 2, an electric distribution
28 utility shall:

29 A. Include supply charges on consolidated utility bills;

30 B. Remit payments to a community choice aggregation program on a monthly basis,
31 net of a discount rate pursuant to a purchase of receivables program;

32 C. Assume responsibility for collections and bad debt; and

33 D. Provide a section on the monthly invoice for the community choice aggregation
34 program to provide information, including the specific name of any related municipal
35 programs next to the supply charge.

36 Transmission and distribution services remain with the electric distribution utilities, which
37 must be paid for such services according to rate schedules approved by the applicable
38 regulatory authority.

39 **8. Cost recovery.** An electric distribution utility may recover costs related to the
40 purchase of receivables program through a mandatory charge approved by the commission
41 that applies to all customers.

9. Transparency. An electric distribution utility shall file an annual report with the commission detailing:

A. The total receivables purchased pursuant to subsection 6;

B. Any discount rates applied under subsection 6; and

C. Collection performance pursuant to subsection 7, paragraph C.

10. Regulation of aggregators. The following provisions apply to aggregators.

A. An aggregator shall treat customer data as confidential information that is not subject to public disclosure.

B. An aggregator that supplies electricity is considered a competitive electricity provider under section 3203 for the purpose of access to the electric distribution utility's load data and for the purpose of ceasing operations.

11. Rulemaking. The commission shall adopt rules for the implementation of this section no later than January 1, 2027, including, but not limited to:

A. Standardized customer opt-out procedures;

B. Purchase of receivables program design and discount rate methodology; and

C. Consumer protection and transparency requirements.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill authorizes municipalities and groups of municipalities to establish community choice aggregation programs. Under a community choice aggregation program with a plan approved by the Public Utilities Commission, eligible customers are automatically enrolled in the community choice aggregation program unless they choose to opt out. The bill establishes requirements for customer notifications and protections and directs the commission to adopt rules for community choice aggregation program authorization, standardized opt-out procedures and consumer safeguards. The bill also requires electric distribution utilities to implement a purchase of receivables program requiring utilities to purchase community choice aggregation program receivables at a discount rate approved by the commission, consolidate billing, assume collection responsibility and report to the commission annually.