

STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

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*Joint Standing Committee on Energy, Utilities and Technology*

**LD 55      An Act To Provide Funding for the Restoration of China Lake**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT T CYRWAY S	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to charge a fee to customers of the Kennebec Water District to be used to restore the water quality of China Lake. Under the bill, the fee would be charged on the use of water on a per gallon basis and would be for a limited number of years.

**LD 58      An Act To Limit Radio Frequency Interference from Certain Grow  
Light Ballasts**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY J DIAMOND B	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to limit the use of any grow light ballast that does not comply with Federal Communications Commission rules and interferes with short-wave radio transmissions.

**LD 90      An Act To Amend the Charter of the Rumford Water District**

**Died Between  
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KEIM L MADIGAN J	OTP-AM ONTP	S-54

This bill requires that all proposed commercial contracts of the Rumford Water District for water extraction or water resale be subject to a vote by the voters of the district. For the vote to be valid, the total number of votes cast must be at least 60% of the number of votes cast for Governor by the voters of the district at the last gubernatorial election.

**Committee Amendment "A" (S-54)**

This amendment is the majority report of the committee, and it strikes and replaces the bill. The amendment also removes the emergency status from the bill. It allows the trustees of the Rumford Water District to submit to the legal voters of the district the question of whether the charter for the district should be amended to require that the legal voters of the district elect trustees, instead of having trustees appointed by the municipal officers as the charter currently requires. This amendment specifies that if a referendum is called, it must be called, advertised and conducted according to the law relating to municipal elections. If the referendum is called and a majority of the legal voters vote to change the charter to allow for the election of district trustees, the amendment contains transition language that allows the currently serving appointed trustees to finish out their terms, and any unplanned vacancy is filled through the election process established in the Maine Revised Statutes, Title 35-A, section 6410, subsection 1.

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**Senate Amendment "A" To Committee Amendment "A" (S-226)**

This amendment allows the municipal officers of the Town of Rumford, instead of the board of trustees of the Rumford Water District, as in the committee amendment, to submit to the legal voters of the district the question of whether the charter for the district should be amended to require that the legal voters of the district elect trustees, instead of having trustees appointed by the municipal officers as the charter currently requires.

This amendment was not adopted.

**LD 104      An Act To Change the Time and Location of the Annual Meeting of the Board of Trustees of the Kittery Water District      P & S 1**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D HILL D	OTP	

This bill changes the annual meeting of the Kittery Water District to a time to be determined by the board of trustees and changes the meeting location from the selectmen's office to the office of the water district.

**Enacted Law Summary**

Private and Special Law 2017, chapter 1 changes the annual meeting of the Kittery Water District to a time to be determined by the board of trustees and changes the meeting location from the selectmen's office to the office of the water district.

**LD 131      An Act To Protect the Biomass Industry      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T DUCHESNE R		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend the laws governing biomass facilities in order to help the biomass industry succeed.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 140      An Act To Authorize a General Fund Bond Issue To Support Entrepreneurial Activity, Attract Business and Enhance Demographic In-migration by Investing in High-speed Broadband Infrastructure and To Amend the Law Governing the Municipal Gigabit Broadband Network Access Fund      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N BELLOWS S		

This bill, in Part A, authorizes a General Fund bond issue, in the amount of \$10,000,000, to be allocated to the Municipal Gigabit Broadband Network Access Fund and distributed by the ConnectME Authority through implementation grants in order to expand high-speed broadband Internet infrastructure in unserved and underserved

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areas.

Part B of the bill limits the use of the funds under Part A to implementation grants awarded from the Municipal Gigabit Broadband Network Access Fund and requires the grants to be expended on open-access nondiscriminatory broadband infrastructure in unserved or underserved areas.

Part C of the bill amends the laws establishing the Municipal Gigabit Broadband Network Access Fund to require planning grant applicants to plan for postconstruction operation and maintenance. Part C clarifies that a municipality may be eligible for ConnectME Authority implementation grant funds without relying on planning grant funds from the authority if the municipality meets certain statutory planning requirements. Part C also clarifies that municipally financed planning expenditures may be deducted from the 25% cash match requirement of the implementation grant. The changes made in Part C are contingent on the ratification of the bond issue in Part A by the voters of the State.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 229      An Act To Prohibit an Electric Utility from Charging a Customer for      Died Between  
Using an Electromechanical Meter      Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D SIROCKI H	ONTP OTP-AM	

This bill prohibits a transmission and distribution utility from charging a customer a fee, monthly charge or higher rate for declining the installation of a wireless smart meter or for the removal of a wireless smart meter. A transmission and distribution utility is prohibited from including any costs associated with a customer's choosing an electromechanical meter in rates charged to that customer.

With approval by the Public Utilities Commission, an investor-owned transmission and distribution utility may decrease the number of times an electromechanical meter is read for a customer that declines the installation of a wireless smart meter but may not read the meter less frequently than once every 12 months and may establish a rate collection method that is based upon the average electricity consumption of the customer. If a transmission and distribution utility prefers a more frequent electromechanical meter reading, the utility may establish a method for a customer to provide the utility with a more frequent electromechanical meter reading, as long as the method does not impose a cost on the customer.

This bill requires the utility to establish a process by which the utility provides a refund to a customer if a billing based on average usage results in an overpayment by a customer and an appropriate rebilling of a customer if such a billing results in an underpayment by the customer.

**Committee Amendment "A" (S-176)**

This amendment is the minority report of the committee and replaces the bill. It requires the Public Utilities Commission to quantify the costs and benefits of advanced metering infrastructure from the initial purchase and deployment to the effective date of the resolve. It requires the commission to identify barriers to achieving benefits of advanced metering infrastructure and to propose solutions to realize benefits such as reducing costs and advancing state policy. It also requires the commission to consider providing a discount to customers that use advanced metering infrastructure instead of an electromechanical meter, rather than charging a fee to those customers that decline the installation of advanced metering infrastructure. The commission is directed to submit a report, including recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by January 30, 2018.

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This amendment was not adopted.

**LD 240      An Act To Increase Transparency in Maine's Electricity Market      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMPER J WADSWORTH N	ONTP	

This bill prohibits a competitive electricity provider from continuing generation service to a consumer beyond 12 months without annual express consent from the consumer.

**LD 255      An Act To Implement Electric Grid Reliability Recommendations      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHAPMAN R	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes directing the Public Utilities Commission to pursue the four recommendations made by Emprimus LLC of Minneapolis, MN in Emprimus LLC's report to the Public Utilities Commission filed January 6, 2015, Docket Number 2013-00145, regarding the effect of geomagnetic disturbances and electromagnetic pulses on the State's electric grid. These recommendations include:

1. Pursuing neutral blocking in the 18 transformers of the State's electric grid with the highest geo-electric-induced currents;
2. Installing electromagnetic pulse and intentional electromagnetic interference detectors at key substations on the State's electric grid;
3. Installing electromagnetic pulse and intentional electromagnetic interference protective cabinets at key substations on the State's electric grid; and
4. Monitoring the costs and benefits derived from protection of the State's electric system from harmful effects of geomagnetic disturbances and support the cost recovery of supplemental reliability improvements to Central Maine Power's Maine Power Reliability Program.

**LD 256      An Act To Ensure Continued Availability of High-speed Broadband      PUBLIC 244**  
**Internet at Maine's Schools and Libraries**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GROHMAN M MAKER J	OTP-AM OTP-AM	H-189

This bill changes the limit on the amount of the fee on prepaid wireless telecommunications service collected by the Public Utilities Commission from a percentage to a flat amount. This bill also requires the Public Utilities Commission to convene a stakeholder group to evaluate and provide recommendations regarding the method of collection of funds to support telecommunications access at libraries and public schools. The commission is required to report to the Joint Standing Committee on Energy, Utilities and Technology by January 30, 2018, and

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the committee is authorized to submit a bill based on the report.

**Committee Amendment "A" (H-189)**

This amendment is the majority report of the committee, and it replaces the bill. It caps the prepaid wireless telecommunications service fee that is contributed to the telecommunications education access fund at 21¢ per retail transaction and caps the fee levied on voice network service providers other than prepaid wireless telecommunications service providers to no more than 21¢ per month per line or number, assessed as a monthly surcharge. The amendment requires the Department of Education and the Maine State Library to jointly submit a report by January 15, 2018, to the Joint Standing Committee on Energy, Utilities and Technology that includes detailed information on how the telecommunications education access fund is used. Lastly, this amendment specifies that, notwithstanding the current prohibition under the Maine Revised Statutes, Title 35-A, section 7104-B, subsection 2-A on the Public Utilities Commission's adjusting the prepaid wireless telecommunications service fee more than once every 24 months, the commission is required to adjust the prepaid wireless telecommunications service fee to conform to the change made by this amendment.

**Committee Amendment "B" (H-190)**

This amendment is the minority report of the committee, and it replaces the bill. It provides a one-time appropriation to the Maine State Library to support the Maine School and Library Network, a service of Networkmaine within the University of Maine System. It also directs the Maine State Library to convene a stakeholder group to look at alternatives to funding the Maine School and Library Network that do not involve surcharges or fees. This amendment requires the stakeholder group to submit a report of its findings to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2018.

This amendment was not adopted.

**Enacted Law Summary**

Public Law 2017, chapter 244 caps the prepaid wireless telecommunications service fee that is contributed to the telecommunications education access fund at 21¢ per retail transaction and caps the fee levied on voice network service providers other than prepaid wireless telecommunications service providers to no more than 21¢ per month per line or number, assessed as a monthly surcharge. This law requires the Department of Education and the Maine State Library to jointly submit a report by January 15, 2018, to the Joint Standing Committee on Energy, Utilities and Technology that includes detailed information on how the telecommunications education access fund is used. Lastly, this law specifies that, notwithstanding the current prohibition under the Maine Revised Statutes, Title 35-A, section 7104-B, subsection 2-A on the Public Utilities Commission's adjusting the prepaid wireless telecommunications service fee more than once every 24 months, the commission is required to adjust the prepaid wireless telecommunications service fee to conform to the change made by this law.

**LD 257      An Act To Enable Municipalities Working with Utilities To Establish      CARRIED OVER**  
**Microgrids**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M MIRAMANT D		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish measures to allow municipalities, working cooperatively with electrical utilities, to create microgrids, which are electricity distribution systems consisting of distributed energy sources, including demand management, storage and generation and loads capable of operating in parallel with, or independently from, the main power grid. This bill would address the following requirements:

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1. The generation of electricity from renewable sources into the microgrid;
2. Methods for adding capacity for storage and managing or enabling a utility to manage the charging of the microgrid and the use of the stored power;
3. An appropriate rate for power generation and stored power usage;
4. A credit applicable toward municipal electricity utilization or assignable to organizations or households according to municipal public service decisions; and
5. Contracts with utilities to receive compensation for scheduling or shedding of electrical load in order to lower peak demand and consequently ratepayer prices.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 258      An Act To Amend the Charter of the Southwest Harbor Water and Sewer District      P & S 4**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA W LANGLEY B	OTP-AM	H-15

This bill increases from three to five the number of trustees of the Southwest Harbor Water and Sewer District.

**Committee Amendment "A" (H-15)**

This amendment requires the board of selectmen for the Town of Southwest Harbor to stagger the terms of the two new appointed trustees to the board of trustees for the Southwest Harbor Water and Sewer District. It requires one trustee to serve for a term of one year and one trustee to serve for a term of two years.

**Enacted Law Summary**

Private and Special Law 2017, chapter 4 increases from three to five the number of trustees of the Southwest Harbor Water and Sewer District and requires the board of selectmen for the Town of Southwest Harbor to stagger the terms of the two new appointed trustees by having one trustees serve for a term of one year and one trustee to serve for a term of two years.

**LD 259      An Act To Limit Rates Charged by Competitive Electricity Providers      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS N LIBBY N	ONTP	

This bill prohibits a competitive electricity provider from charging a residential consumer a rate for generation service that is higher than the rate charged for standard-offer service.

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**LD 260 An Act To Create the Maine Energy Office**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K		

This bill:

1. Renames the Governor's Energy Office the Maine Energy Office. It repeals the language in the Maine Revised Statutes, Title 2 that establishes the office and establishes it instead in Title 35-A, expands the headnote for Title 35-A and places the office under the control and supervision of a commissioner, rather than a director;
2. Establishes in the Maine Energy Office a position of deputy commissioner, to be appointed by the Governor, subject to confirmation by the Senate; and
3. Specifies that an amount equal to \$300,000 from the Efficiency Maine Trust must be transferred annually to the Maine Energy Office.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 344 An Act To Provide Opportunity for Energy Cost Reduction for Maine Businesses and Citizens**

**PUBLIC 22**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION M	OTP-AM	S-16

This bill extends the expiration date for the execution of an energy cost reduction contract from December 31, 2018, to December 31, 2020.

**Committee Amendment "A" (S-16)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Public Law 2017, chapter 22 extends the expiration date for the execution of an energy cost reduction contract from December 31, 2018 to December 31, 2020.

**LD 405 An Act To Make Changes to the So-called Dig Safe Law**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D BERRY S	ONTP	

This bill specifies that liquefied propane gas distribution systems that have a cumulative tank capacity of over 2,000 gallons are subject to the so-called Dig Safe Law.



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**LD 406 An Act To Amend the Law Regarding Joint Use of Certain Utility and Telecommunications Infrastructure**

**PUBLIC 199**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D BERRY S	OTP-AM	S-177

This bill makes the following changes to the laws governing joint use of equipment regulated by the Public Utilities Commission.

1. It changes the conditions under which the commission may order joint use of equipment by eliminating the requirement that a hearing be held upon the commission's motion or that a complaint be filed by an affected entity before the commission may order joint use of equipment. It also eliminates the requirement that the commission find that the parties have failed to agree on the terms and conditions or compensation for the joint use of equipment before the commission may enter an order.
2. It adds unlit fiber providers, telecommunications service providers and information service providers to the list of entities that may be subject to an order for joint use of equipment.
3. It expands the types of subscribers whose interests must be taken into account by the commission when taking actions or issuing orders related to joint use of equipment.
4. It requires the commission to adopt rules governing joint use of equipment.

**Committee Amendment "A" (S-177)**

This amendment replaces the bill. Like the bill, it adds unlit fiber providers, telecommunications service providers and information service providers to the list of entities that may be subject to an order for joint use of equipment. It defines the term "joint use entity" and requires that the interests of customers of a joint use entity be considered in any order or actions taken by the Public Utilities Commission. It requires that a joint use entity seeking access to the poles, ducts, conduits or rights-of-way owned or controlled by another joint use entity have the technical and financial capabilities to fulfill its obligations related to such joint use and that the Public Utilities Commission develop a process to ensure this through its rules. It requires that rules adopted by the Public Utilities Commission promote competition, further the state broadband policy and ensure safe, nondiscriminatory access on just and reasonable terms. It requires that the Public Utilities Commission amend its rules by January 15, 2018, to address the terms and conditions of joint use. It provides that the jurisdiction of the Public Utilities Commission over joint use entities not otherwise under its jurisdiction is only for limited purposes, and it makes changes to the Maine Revised Statutes, Title 35-A, sections 2301 and 2501 for consistency with those provisions.

**Enacted Law Summary**

Public Law 2017, chapter 199 adds unlit fiber providers, telecommunications service providers and information service providers to the list of entities that may be subject to an order for joint use of equipment. It defines the term "joint use entity" and requires that the interests of customers of a joint use entity be considered in any order or actions taken by the Public Utilities Commission. It requires that a joint use entity seeking access to the poles, ducts, conduits or rights-of-way owned or controlled by another joint use entity have the technical and financial capabilities to fulfill its obligations related to such joint use and that the Public Utilities Commission develop a process to ensure this through its rules. It requires that rules adopted by the Public Utilities Commission promote competition, further the state broadband policy and ensure safe, nondiscriminatory access on just and reasonable terms. It requires that the Public Utilities Commission amend its rules by January 15, 2018, to address the terms and conditions of joint use. It provides that the jurisdiction of the Public Utilities Commission over joint use entities not otherwise under its jurisdiction is only for limited purposes, and it makes changes to the Maine Revised

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Statutes, Title 35-A, sections 2301 and 2501 for consistency with those provisions.

**LD 421      An Act To Promote Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investment in High-speed Internet      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREA D DOW D	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to increase funding to the ConnectME Authority from \$1,000,000 to \$5,000,000 to expand universal broadband and high-speed Internet into rural areas identified as the 6% of the State unserved by high-speed Internet. This bill proposes to make expanding high-speed Internet into unserved rural areas a key emphasis in the economic development of the state and to multiply the return to the State by directing the ConnectME Authority to use the increased funding to increase the rate of strategic broadband investment and leverage additional federal funding to provide middle-mile and last-mile infrastructure in the unserved areas and to correct broadband deficiencies identified in the ConnectME Authority's baseline update of 2013.

**LD 422      An Act To Create the Water Resources Planning Committee      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SYLVESTER M CARSON B	OTP-AM ONTP	H-94

This bill imposes a two-year moratorium, beginning November 1, 2017, on new contracts or agreements by a consumer-owned water utility, municipality, state agency or other governmental entity involving the extraction of more than 75,000 gallons of groundwater during any week or more than 50,000 gallons of groundwater on any day. The bill also directs the Commissioner of Environmental Protection to convene a working group to develop the statutory and regulatory framework for the establishment of the Maine Water Trust, which must be designed to ensure a safe and plentiful drinking water supply to all residents of the State by regulating the use of groundwater for commercial purposes under laws that establish the absolute control and dominion of the State over all groundwater supplies in the State. The commissioner must, on or before January 15, 2019, report the recommendations of the working group to the joint standing committee of the Legislature having jurisdiction over environment and natural resources matters, which may report out a bill to implement those recommendations to the First Regular Session of the 129th Legislature.

**Committee Amendment "A" (H-94)**

This amendment is the majority report of the committee and it replaces the bill and changes the title. The amendment requires the Department of Agriculture, Conservation and Forestry to convene the Water Resources Planning Committee. The amendment describes requirements related to committee membership, meetings and reporting. It details three phases on which the committee is required to focus effort. It also requires the committee to conduct an annual review of state policy in regard to water resources, provide guidance to municipalities and develop and disseminate educational materials on water resources and the regulatory regime.

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**LD 423 An Act To Extend Internet Availability in Rural Maine**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALLEY R MAKER J	OTP-AM ONTP	H-17 H-19 BERRY S

This bill provides one-time funding to extend for two years a program that provides mobile wireless hot spot devices to libraries in Washington County.

**Committee Amendment "A" (H-17)**

This amendment is the majority report of the committee. It incorporates a fiscal note.

**House Amendment "A" (H-19)**

This amendment removes the emergency preamble and emergency clause and provides the funding in fiscal year 2017-18.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 461 Resolve, Regarding Legislative Review of Chapter 220: Removal of Provider of Last Resort Service Obligation, a Major Substantive Rule of the Public Utilities Commission**

**RESOLVE 4  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

This resolve provides for legislative review of Chapter 220: Removal of Provider of Last Resort Service Obligation, a major substantive rule of the Public Utilities Commission.

**Enacted Law Summary**

Resolve 2017, chapter 4 authorizes final adoption of Chapter 220: Removal of Provider of Last Resort Service Obligation, a major substantive rule of the Public Utilities Commission.

Resolve 2017, chapter 4 was finally passed as an emergency measure effective April 11, 2017.

**LD 474 An Act To Allow a Public Safety Answering Point To Be Reimbursed for Training Costs**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILLINGHAM K HAMPER J	ONTP	

This bill provides for the reimbursement, in full or in part, of a public safety answering point's training costs for a dispatcher who finds employment at another public safety answering point within five years of completion of training by the Emergency Services Communication Bureau within the Public Utilities Commission.

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**LD 529      An Act To Ensure Resiliency of the Maine Electrical Grid**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D MIRAMANT D	OTP-AM ONTP	H-45

This bill gives the Public Utilities Commission the authority to require transmission and distribution utilities to take necessary actions to ensure that their systems are protected from or able to negate effects of geomagnetic disturbances and electromagnetic pulses. This bill provides that any costs incurred by a transmission and distribution utility as a result of a directive by the commission are just and reasonable for rate-making purposes; however, the costs of a failure of a transmission and distribution system resulting from geomagnetic disturbances or electromagnetic pulses are the responsibility of the transmission and distribution utility.

The bill also directs the Public Utilities Commission, by July 1, 2018, to direct transmission and distribution utilities to undertake mitigation measures, including but not limited to the installation of additional geomagnetically induced current monitoring sites, neutral current blocking devices and supervisory control and data acquisition system protectors and the holding of sufficient spare transformers on site to more quickly replace damaged transformers. Identified measures were included in the Public Utilities Commission report dated January 20, 2014, entitled, "Report to the Legislature Pursuant to Resolves 2013, Chapter 45, Regarding Geomagnetic Disturbances (GMD) and Electromagnetic Pulse (EMP)."

**Committee Amendment "A" (H-45)**

This amendment is the majority report of the committee and it strikes and replaces the bill. It requires an investor-owned transmission and distribution utility to report to the Public Utilities Commission annually on its activities regarding protection from geomagnetic disturbances and electromagnetic pulse. It also requires an investor-owned transmission and distribution utility to include in its report neutral direct current monitoring information from autotransformers where monitoring equipment is installed, collected by the investor-owned transmission and distribution utility. This amendment requires that the commission compile the information it receives and submit it as part of its annual report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters.

**LD 532      An Act To Remove the 100-megawatt Limit on Hydroelectric Generators  
under the Renewable Resources Laws**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B		

This bill removes the 100-megawatt maximum capacity limit for a hydroelectric generator that meets all state and federal fish passage requirements applicable to generators to qualify as a renewable capacity resource and for a hydroelectric generator to qualify as a renewable resource for the purpose of meeting the State's renewable resource portfolio requirement.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

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**LD 686      An Act To Remove Restrictions on the Membership of Regional Water Councils**

**PUBLIC 58**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M BELLOWS S	OTP-AM	H-75

This bill amends the laws regarding the authorization of regional water councils to remove the provision restricting membership to water utilities.

**Committee Amendment "A" (H-75)**

This amendment strikes and replaces the bill. It defines "water-related entity" as a water utility or a municipal or quasi-municipal entity owning, controlling, operating or managing sewer, sanitary or storm water works. It allows for a water-related entity to be a member of a regional water council and requires that one of the members of a regional water council be a water utility. It requires that a regional water council provide a statement of its financial activities to the member water-related entities and requires that the statement must also be filed with the Public Utilities Commission and the drinking water program of the Department of Health and Human Services.

**Enacted Law Summary**

Public Law 2017, chapter 58 allows a water-related entity to be a member of a regional water council and requires that one of the members of a regional water council be a water utility. It requires that a regional water council provide a statement of its financial activities to the member water-related entities and requires that the statement must also be filed with the Public Utilities Commission and the drinking water program of the Department of Health and Human Services.

**LD 754      An Act To Repeal or Clean Up Outdated Telecommunications Statutes**

**PUBLIC 73**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S WOODSOME D	OTP-AM	H-95

This bill updates the law regarding interstate and intrastate telecommunications access rates. The bill also repeals obsolete provisions of law requiring persons providing intrastate interexchange service to reduce their intrastate long-distance rates in the absence of effective competition, prohibiting mandatory local measured telephone service, prohibiting the Public Utilities Commission from requiring a local exchange carrier to consider competitive bids on the construction of an interexchange facility, prohibiting a telephone utility offering intrastate toll service from increasing prices without filing a tariff revision with the commission and providing subscribers written notice and prohibiting a provider of prepaid calling service from increasing rates on already purchased service and requiring notice to prepaid calling service consumers about differences between in-state and interstate service rates.

**Committee Amendment "A" (H-95)**

This amendment retains the provisions of the bill and does the following.

1. It specifies that the valuation of property for fixing rates does not apply to price cap incumbent local exchange carriers, as those rates are set in the Maine Revised Statutes, Title 35-A;
2. It changes language in the bill as it relates to access rates;
3. It repeals the provision of law related to customer premise wire; and

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4. It limits a requirement in current law for provider of last resort service providers to offer telephone directories in an electronic format or as a printout of an electronic database to apply only to those provider of last resort service providers that discontinue publishing a hard-copy directory.

**Enacted Law Summary**

Public Law 2017, chapter 73 does the following.

1. It updates the law regarding interstate and intrastate telecommunications access rates;
2. It repeals obsolete provisions of law requiring persons providing intrastate interexchange service to reduce their intrastate long-distance rates in the absence of effective competition, prohibiting mandatory local measured telephone service, prohibiting the Public Utilities Commission from requiring a local exchange carrier to consider competitive bids on the construction of an interexchange facility, prohibiting a telephone utility offering intrastate toll service from increasing prices without filing a tariff revision with the commission and providing subscribers written notice, prohibiting a provider of prepaid calling service from increasing rates on already purchased service and requiring notice to prepaid calling service consumers about differences between in-state and interstate service rates, and relating to customerpremise wire;
3. It specifies that the valuation of property for fixing rates does not apply to price cap incumbent local exchange carriers, as those rates are set in the Maine Revised Statutes, Title 35-A; and
4. It limits a requirement in current law for provider of last resort service providers to offer telephone directories in an electronic format or as a printout of an electronic database to apply only to those provider of last resort service providers that discontinue publishing a hard-copy directory.

**LD 755 An Act To Amend the Law Regarding Nontransmission Alternatives Investigations Required for Proposed Transmission Lines and Projects**

**PUBLIC 201**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S WOODSOME D	OTP-AM	H-424

This bill changes the timing of the nontransmission alternatives investigation required for proposed transmission line projects. The bill requires the investigation to be done during the course of the proceeding to consider the petition for approval of a proposed transmission line instead of being done prior to filing that petition.

**Committee Amendment "A" (H-424)**

This amendment does the following.

1. It extends from six months to nine months the time the Public Utilities Commission has to issue an order for a petition for the approval of a proposed line;
2. It changes the timing of a nontransmission alternatives investigation required for proposed transmission projects by requiring the investigation be completed during the course of the proceeding to consider the petition for an approval of a proposed transmission project instead of being done prior to filing that petition; and
3. It requires the Public Utilities Commission to issue an order in an adjudicatory proceeding regarding the investigation into the designation of a nontransmission alternatives coordinator and submit a report to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2018 on the outcome of that proceeding.

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## Enacted Law Summary

Public Law 2017, chapter 201 does the following.

1. It extends from six months to nine months the time the Public Utilities Commission has to issue an order for a petition for the approval of a proposed line;
2. It changes the timing of a nontransmission alternatives investigation required for proposed transmission lines or projects by requiring the investigation be completed during the course of the proceeding to consider the petition for an approval of a proposed transmission line or project instead of being done prior to filing that petition; and
3. It requires the Public Utilities Commission to issue an order in an adjudicatory proceeding regarding the investigation into the designation of a nontransmission alternatives coordinator and submit a report to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2018 on the outcome of that proceeding.

### LD 756 An Act To Clarify the Authority of an Affiliate of a Utility To Own Power Generation outside of the Utility's Territory

PUBLIC 287

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARVELL L KEIM L	OTP-AM	H-314 S-220 WOODSOME D

This bill authorizes an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets unless the assets are interconnected to the transmission or distribution facilities that are owned or operated by the utility or the affiliate is a wholly owned or partially owned subsidiary of the utility.

#### Committee Amendment "A" (H-314)

This amendment replaces the bill. It allows an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets in accordance with standards of conduct adopted by the Public Utilities Commission, unless the generation or generation-related assets are directly interconnected to the facilities owned or operated by that investor-owned transmission and distribution utility. It directs the Public Utilities Commission to adopt major substantive rules that establish standards of conduct governing the relationship between an investor-owned transmission and distribution utility and an affiliate that ensure the separation and independence of the affiliate and protects ratepayers.

The amendment allows an affiliate of an investor-owned transmission and distribution utility that owns generation or generation-related assets that are not directly interconnected to the facilities owned or operated by that investor-owned transmission or distribution utility to continue to own those generation or generation-related assets. Upon adoption of rules by the Public Utilities Commission, the affiliate is subject to the standards of conduct adopted by the commission.

#### Senate Amendment "A" To Committee Amendment "A" (S-220)

This amendment provides that any affiliate generation or generation-related assets that are permitted under the bill but do not have a long-term contract or term sheet approved by the Public Utilities Commission as of July 1, 2017 are ineligible to participate in a long-term contract under the Maine Revised Statutes, Title 35-A.

## Enacted Law Summary

Public Law 2017, chapter 287 allows an affiliate of an investor-owned transmission and distribution utility to own generation or generation-related assets in accordance with standards of conduct adopted by the Public Utilities Commission, unless the generation or generation-related assets are directly interconnected to the facilities owned or operated by that investor-owned transmission and distribution utility. It directs the Public Utilities Commission to

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adopt major substantive rules that establish standards of conduct governing the relationship between an investor-owned transmission and distribution utility and an affiliate that ensure the separation and independence of the affiliate and protects ratepayers.

This law provides that any affiliate generation or generation-related assets that are permitted under the bill but do not have a long-term contract or term sheet approved by the Public Utilities Commission as of July 1, 2017 are ineligible to participate in a long-term contract under the Maine Revised Statutes, Title 35-A.

Lastly, this law allows an affiliate of an investor-owned transmission and distribution utility that owns generation or generation-related assets that are not directly interconnected to the facilities owned or operated by that investor-owned transmission or distribution utility to continue to own those generation or generation-related assets, but will subject to the standards of conduct upon adoption of rules by the Public Utilities Commission.

**LD 757 An Act To Amend the Charter of the Richmond Utilities District**

**P & S 7**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE J	OTP-AM	H-115

This bill amends the charter of the Richmond Utilities District to remove the cap on the district's total indebtedness and to update obsolete language and references.

**Committee Amendment "A" (H-115)**

This amendment adds to the bill a change to the notice requirement for proposed financing of costs greater than \$30,000 from seven days to fourteen days and requires that notice be provided in a newspaper or newsletter having a general circulation in the Town of Richmond and be mailed to district voters and customers via postcard or bill insert instead of in only a newspaper. The amendment also removes a section of the Richmond Utilities District charter that allows the trustees to propose a different debt limit than in the charter and submit that proposal for districtwide approval in a referendum because the bill removes the cap on indebtedness of the district.

**Enacted Law Summary**

Private and Special Law 2017, chapter 7 amends the charter of the Richmond Utilities District to remove the cap on the district's total indebtedness and to update obsolete language and references. This law also changes the notice requirement for proposed financing of costs greater than \$30,000 from seven days to fourteen days and requires that notice be provided in a newspaper or newsletter having a general circulation in the Town of Richmond and be mailed to district voters and customers via postcard or bill insert instead of being provided only in a newspaper. This law also removes a section of the Richmond Utilities District charter that allows the trustees to propose a different debt limit than in the charter and submit that proposal for districtwide approval in a referendum because the cap on indebtedness of the district is removed by the passage of this law.

**LD 759 An Act To Clarify the Financial Authority of Sewer and Sanitary Districts**

**PUBLIC 151**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR B WOODSOME D	OTP-AM	H-343

This bill clarifies the authority of sewer districts and sanitary districts to administer financial resources. It allows sewer districts and sanitary districts to invest their funds in the same way as municipalities. It clarifies that sewer districts have full authority to collect rates and fees.



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**Committee Amendment "A" (H-343)**

This amendment instead of simply stating that a sewer or sanitary district may invest its funds to the same extent as a municipality, includes the applicable provisions from the Maine Revised Statutes, Title 30-A, chapter 223, subchapter 3-A in the statutes governing sewer and sanitary districts.

**Enacted Law Summary**

Public Law 2017, chapter 151 clarifies the authority of sewer districts and sanitary districts to administer financial resources. It allows sewer districts and sanitary districts to invest their funds in a similar manner as municipalities. It clarifies that sewer districts have full authority to collect rates and fees.

**LD 802      An Act To Strengthen the Independence of the Public Advocate      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN R	ONTP	

This bill establishes the Public Advocate Advisory Board. The board consists of three members, one appointed by the Governor, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives. The board appoints the Public Advocate to a six-year term, subject to confirmation by the Legislature, and provides policy guidance to the Public Advocate. The Public Advocate's first six-year term begins February 1, 2018.

**LD 803      An Act To Improve Transparency in the Electricity Supply Market      PUBLIC 74**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N HIGGINS N	OTP-AM	S-49

This bill:

1. Makes the following changes to protect consumers that choose generation service through a competitive electricity provider:
  - A. It requires the competitive electricity provider to disclose to the consumer if the rate of generation service is higher than the standard-offer service rate;
  - B. It requires the competitive electricity provider to send a renewal notice to the consumer for generation service by certified mail, return receipt requested; and
  - C. It prohibits the competitive electricity provider from renewing a contract for generation service without express consent from the consumer;
2. Requires that the monthly utility bill for a consumer that elects to receive generation service from a competitive electricity provider contain the following:
  - A. The rate for generation service charged by the competitive electricity provider displayed along with the standard-offer service rate; and

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B. The expiration date of the consumer's contract with the competitive electricity provider for generation service; and

3. Requires the Public Utilities Commission, in consultation with the Public Advocate, to determine if consumers paid more for generation service purchased from competitive electricity providers instead of through standard-offer service and if so by how much and to submit its findings to the Joint Standing Committee on Energy, Utilities and Technology.

### **Committee Amendment "A" (S-49)**

This amendment replaces the bill. This amendment:

1. Makes the following changes to consumer protections for residential consumers that choose generation service through a competitive electricity provider:
  - A. It requires the competitive electricity provider to disclose to the consumer where the consumer can obtain information to compare the service provided by the provider with standard-offer service;
  - B. It prohibits the competitive electricity provider from renewing a contract for generation service if it fails to provide that consumer with a notice of renewal in advance by mail;
  - C. It requires that, if a competitive electricity provider renews a contract for generation service at a fixed rate that is 20% or more above the contract rate in the expiring contract without express consent, the consumer must be transferred to standard-offer service;
  - D. It requires that, if a competitive electricity provider renews a contract for generation service for a term that is longer than the term of the expiring contract or 12 months, whichever is shorter, without express consent, the consumer must be transferred to standard-offer service; and
  - E. It prohibits a competitive electricity provider from imposing an early termination fee for a contract that was renewed without express consent;
2. Requires that the monthly utility bill for a residential consumer that elects to receive generation service from a competitive electricity provider contain the following:
  - A. A website address or other resource where a consumer can obtain information, as determined by the Public Utilities Commission, that provides independent information that allows residential consumers to compare terms, conditions and rates of electricity supply; and
  - B. A statement that directs the consumer to the competitive electricity provider for more information on the consumer's contract and that provides the telephone number of the competitive electricity provider; and
3. Requires the commission in consultation with the Public Advocate to determine the difference in price, if any, residential consumers paid for generation service by purchasing from a competitive electricity provider instead of receiving standard-offer service between 2014 and 2016; where possible, state if and how the product purchased by the consumer differed from the standard-offer service; and submit its findings to the Joint Standing Committee on Energy, Utilities and Technology by February 15, 2018.

### **Enacted Law Summary**

Public Law 2017, chapter 74:

1. Makes the following changes to consumer protections for residential consumers that choose generation service through a competitive electricity provider:

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- A. It requires the competitive electricity provider to disclose to the consumer where the consumer can obtain information to compare the service provided by the provider with standard-offer service;
  - B. It prohibits the competitive electricity provider from renewing a contract for generation service if it fails to provide that consumer with a notice of renewal in advance by mail;
  - C. It requires that, if a competitive electricity provider renews a contract for generation service at a fixed rate that is 20% or more above the contract rate in the expiring contract without express consent, the consumer must be transferred to standard-offer service;
  - D. It requires that, if a competitive electricity provider renews a contract for generation service for a term that is longer than the term of the expiring contract or 12 months, whichever is shorter, without express consent, the consumer must be transferred to standard-offer service; and
  - E. It prohibits a competitive electricity provider from imposing an early termination fee for a contract that was renewed without express consent;
2. Requires that the monthly utility bill for a residential consumer that elects to receive generation service from a competitive electricity provider contain the following:
- A. A website address or other resource where a consumer can obtain information, as determined by the Public Utilities Commission, that provides independent information that allows residential consumers to compare terms, conditions and rates of electricity supply; and
  - B. A statement that directs the consumer to the competitive electricity provider for more information on the consumer's contract and that provides the telephone number of the competitive electricity provider; and
3. Requires the commission in consultation with the Public Advocate to determine the difference in price, if any, residential consumers paid for generation service by purchasing from a competitive electricity provider instead of receiving standard-offer service between 2014 and 2016; where possible, state if and how the product purchased by the consumer differed from the standard-offer service; and submit its findings to the Joint Standing Committee on Energy, Utilities and Technology by February 15, 2018.

**LD 822      An Act To Ensure Fairness among Large Consumers of Natural Gas**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION M HARVELL L		

This bill extends the existing ineligibility for participation in and the exemption from assessment for natural gas conservation programs to large-volume customers that do not purchase their natural gas from a Maine gas utility. Large-volume customers are defined as those purchasing at least 1,000,000 centum cubic feet of natural gas per year.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

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**LD 825      An Act To Ensure Direct Dialing of 911 from Multiline Telephone Systems**

**PUBLIC 48**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D BERRY S	OTP	

This bill requires that any public or private entity that installs or operates a multiline telephone system ensures that the system is connected to the public switched telephone network in such a way that an individual dialing 911 is connected to the public safety answering point without requiring the individual to first dial any other number or set of numbers.

**Enacted Law Summary**

Public Law 2017, chapter 48 requires that any public or private entity that installs or operates a multiline telephone system ensures that the system is connected to the public switched telephone network in such a way that an individual dialing 911 is connected to the public safety answering point without requiring the individual to first dial any other number or set of numbers.

**LD 1061      An Act To Increase Investment and Regulatory Stability in the Electric Industry**

**PUBLIC 134**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE J SAVIELLO T	OTP-AM	H-173

This bill does the following.

1. It specifies that the Public Utilities Commission can direct investor-owned transmission and distribution utilities to enter into long-term contracts for the regional procurement of transmission infrastructure, capacity resources, energy or renewable energy credits;
2. It requires the commission to report annually to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters on the procurement of capacity resources, energy and renewable energy credits from the previous 12-months and if and how that procurement was consistent with the State’s goals for greenhouse gas reduction. The report must also include:
  - A. The number of requests for proposals;
  - B. The number of executed term sheets or contracts resulting from the requests for proposals;
  - C. The number of megawatts produced through contracts; and
  - D. A plan for the succeeding 12 months pertaining to the procurement of capacity resources, energy and renewable energy credits, which include dates for requests for proposals, types of resources and the anticipated date of executions of contracts;
3. It adds a rulemaking section to the Maine Wind Energy Act and requires those rules to be major substantive;
4. It adds a rulemaking section to the chapter of law that deals with the expedited permitting of grid-scale wind energy development as it relates to the determination of effect on scenic character and related existing uses and

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requires those rules to major substantive;

5. It changes the rulemaking from routine technical to major substantive in the chapter of law that deals with the expedited permitting of grid-scale wind energy development as it relates to scenic viewpoint and scenic inventory; and

6. It requires the Department of Environment Protection to convene a stakeholder group regarding the effect of expedited wind energy development on scenic character and existing uses and provides that the group may issue a report of its finding, including recommended legislation to this committee.

### **Committee Amendment "A" (H-173)**

This amendment replaces the bill. It removes from the bill the provisions of sections 3 through 6 and retains the provisions of section 1. This amendment also removes language from the provisions of section 2 of the bill regarding the State's goals for greenhouse gas reduction as it relates to an annual report from the Public Utilities Commission to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters. This amendment also adds to that annual report reporting requirements for the Public Utilities Commission, including information regarding the Community-based Renewable Energy Act and deep-water offshore wind energy pilot projects.

### **Enacted Law Summary**

Public Law 2017, chapter 134 does the following.

1. It specifies that the Public Utilities Commission can direct investor-owned transmission and distribution utilities to enter into long-term contracts for capacity, capacity resources, energy or renewable energy credits pursuant to a regional procurement process in conjunction with other states; and
2. It requires the commission to report annually to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters on the procurement of transmission capacity, capacity resources, energy and renewable energy credits from the previous 12-months under Maine Revised Statutes, Title 35-A, section 3210-C, subsection 3, Maine Revised Statutes, Title 35-A, chapter 36 and Public Law 2009, chapter 615, Part A, section 6, as amended by Public Law 2013, chapter 369, Part H, sections 1 and 2 and chapter 378, sections 4 to 6. The report must also include:
  - A. The number of requests for proposals;
  - B. The number of executed term sheets or contracts resulting from the requests for proposals;
  - C. The number of megawatts produced through contracts;
  - D. A plan for the succeeding 12 months pertaining to the procurement of capacity resources, energy and renewable energy credits, which include dates for requests for proposals, types of resources and the anticipated date of executions of contracts; and
  - E. Estimates of ratepayer costs or savings associated with any approved term sheet, actual ratepayers costs or savings for the previous year associated with any procurements, and total ratepayer costs or savings at the time of the report.

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**LD 1062      Resolve, To Expand the Availability of Light-duty Zero Emission Vehicle  
Supply Equipment**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RYKERSON D MIRAMANT D	OTP-AM	H-320

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to establish a program to support the installation throughout the State of publicly accessible universally compatible electric vehicle charging stations. Under the program:

1. An entity doing business in the State would be able to apply for a grant to be used to install a charging station by submitting an application;
2. Applicants would be selected based on preferential criteria, including:
  - A. The ability of the applicant to make the charging station available to the public for use 24 hours per day and seven days per week;
  - B. The absence of other available charging stations in or near the area in which the proposed charging station will be located;
  - C. The relative safety of the proposed location of the charging station, including the presence of lighting or shelter;
  - D. The willingness of the applicant to contribute the applicant's own funds to help maintain and operate the charging station;
  - E. The location of the proposed charging station in relation to important regional attractions, events, facilities, transportation corridors, major thoroughfares and high-traffic areas; and
  - F. The proximity of dining, lodging, retail and entertainment opportunities within walking distance of the proposed charging station;
3. A recipient of a grant would be required to commit to:
  - A. Making the charging station accessible and available for use by the public; and
  - B. Maintaining and operating the charging station; and
4. Funds for grants would be provided by several sources. It is intended that the program be included in the State's beneficiary mitigation plan to receive trust funds pursuant to the Volkswagen Partial Consent Decree, which settles portions of the multidistrict litigation concerning certain Volkswagen diesel engines. In addition, private funding that is designed to leverage other funds would make up a part of the program funding.

**Committee Amendment "A" (H-320)**

This amendment replaces the bill. The amendment requires the Department of Transportation, in consultation with the Department of Environmental Protection and the Governor's Energy Office, to include in the State's beneficiary mitigation plan the proposal to allocate 15% of the trust funds received for light-duty zero emission vehicle supply equipment as permitted by the Volkswagen Partial Consent Decree. If the mitigation plan is approved, it requires

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that the funds be used in whole or in part to provide grants for the installation of light-duty zero emission vehicle supply equipment. It requires that grants funded with the trust funds be disbursed to projects that meet certain preferential selection criteria. It allows the Department of Transportation to disburse funds for the installation of light-duty zero emission vehicle supply equipment within an existing program or a new program developed in consultation with the Efficiency Maine Trust. Lastly, it requires that the Department of Transportation submit by January 15, 2018, a report to the Joint Standing Committee on Energy, Utilities and Technology describing the status of the State's beneficiary mitigation plan, the plan to use funds for a new or existing grant program and the need, if any, for legislation for a grant program.

**LD 1124      An Act To Promote the Development of Solar Energy in Maine      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C PIERCE T	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enact measures designed to promote the development of solar energy in the State.

**LD 1147      An Act To Modernize the Renewable Portfolio Standard      PUBLIC 291**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT J	OTP-AM ONTP	H-272 S-290    DION M

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to modernize the renewable portfolio standard. The bill proposes to continue the current renewable portfolio standard level from January 2017 to December 2028.

**Committee Amendment "A" (H-272)**

This amendment is the majority report of the committee, and it replaces the bill, which is a concept draft. It extends the new renewable capacity resources portfolio requirement through 2028.

**Senate Amendment "A" To Committee Amendment "A" (S-290)**

This amendment amends Committee Amendment "A" to extend the new renewable capacity resources portfolio requirement through 2022 rather than 2028 as in the committee amendment.

**Enacted Law Summary**

Public Law 2017, chapter 291 extends the new renewable capacity resources portfolio requirement through 2022.

**LD 1151      An Act To Allow Promotional Allowances by Gas Utilities      PUBLIC 83**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M DION M	OTP-AM	H-151

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This bill allows public utilities to offer or provide promotional allowances, such as rebates, discounts or similar reductions, to their customers or potential customers. The Public Utilities Commission is directed to adopt rules to implement the provisions of this bill.

**Committee Amendment "A" (H-151)**

This amendment replaces the bill. It allows a gas utility to offer a promotional allowance, instead of a public utility as proposed in the bill, and the rate for that promotional allowance takes effect when the schedule of rates is filed with the Public Utilities Commission and provided to the Efficiency Maine Trust, unless a later effective date is specified. A gas utility does not need to provide prior notice or receive approval from the commission in order to offer a promotional allowance.

**Enacted Law Summary**

Public Law 2017, chapter 83 allows a gas utility to offer a promotional allowance, and the rate for that promotional allowance takes effect when the schedule of rates is filed with the Public Utilities Commission and provided to the Efficiency Maine Trust, unless a later effective date is specified. Under this law, a gas utility does not need to provide prior notice or receive approval from the Public Utilities Commission in order to offer a promotional allowance.

**LD 1157      An Act To Create a Limited Microgrid Project To Stimulate Economic      ONTP**  
**Development in Northern Maine**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	ONTP	

This bill establishes a limited microgrid program in northern Maine. The bill directs the Public Utilities Commission to establish by rule a program that would allow the creation of small transmission or distribution systems connecting an electricity generator with one or more industrial consumers located in close proximity to the generator, allowing for the sale or transfer of electricity from the generator to those consumers without use of the system of the transmission and distribution utility. The commission is directed to report annually to the Legislature on the program and whether it should be continued, expanded, limited or discontinued.

**LD 1176      An Act To Ensure the Safety of Low-income Persons Who Are Deaf and      CARRIED OVER**  
**Who Use Video and Captioned Phones by Providing Equitable Access to**  
**the Internet**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION M TALBOT ROSS R		

This bill requires communications service providers to provide a 70% price reduction on all broadband services provided to a low-income person who is deaf.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.



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**LD 1185 An Act Regarding Renewable Portfolio Standards**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enact measures designed to update Maine's renewable portfolio standards.

**LD 1224 An Act To Allow for Greater Energy Competition in Maine by Amending the Law Governing Electric Generation or Generation-related Assets by Affiliates**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION M O'CONNOR B		

This bill directs the Public Utilities Commission to develop clear standards and protections to be imposed on investor-owned transmission and distribution utilities to prevent them from providing preferential treatment to their generation affiliates in Maine.

This bill requires the commission to adopt major substantive rules to protect ratepayers and establish standards of conduct that govern the relationship between an investor-owned transmission and distribution utility and a generation affiliate. It requires that standards of conduct adopted by commission rule ensure at a minimum that a generation affiliate is not given preference over nonaffiliated competitive generators; costs of the generation affiliate are not recovered from ratepayers; employees of an investor-owned transmission and distribution utility are physically separate from and not shared with those of a generation affiliate; and the accounts and records of an investor-owned transmission and distribution utility and a generation affiliate are separate.

This bill defines "generation affiliate" as an affiliated interest that owns, has a financial interest in or controls generation or generation-related assets.

This bill defines "financial interest" as any voting or nonvoting equity interest, partnership interest, whether limited or general, trust interest or joint venture in an entity and specifies that a financial interest is not created between an investor-owned transmission and distribution utility and a generation affiliate solely by virtue of their relationship with a common parent company.

This bill establishes penalties for violations of rules adopted pursuant to this bill, and provides that the commission may require an investor-owned transmission and distribution utility to divest from its generation affiliate as a result of any violations of the rules.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

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**LD 1262 An Act To Protect Monhegan Island by Limiting Wind Turbines**

**ONTP**

Sponsor(s)

DOW D

Committee Report

ONTP

Amendments Adopted

This bill would prohibit an offshore wind energy project or wind energy test area, whether temporary or permanent to be located within the Monhegan Lobster Conservation Area or within 10 nautical miles of the Monhegan Lobster Conservation Area as measured from a line running from the outer perimeter of the Monhegan Lobster Conservation Area.

The provisions of the bill apply retroactively to January 1, 2009.

**LD 1299 An Act To Amend the Charter of the Town of Madison's Department of Electric Works**

**ONTP**

Sponsor(s)

FARRIN B  
WHITTEMORE R

Committee Report

ONTP

Amendments Adopted

This bill replaces language regarding the bonding authority of the Madison Department of Electric Works to provide that it is the electric works that issues bonds for its purposes and not the Town of Madison and to remove the \$1,200,000 cap on the issuance of bonds or notes for current operating expenses.

**LD 1313 An Act To Establish Energy Policy in Maine**

**PUBLIC 282**

Sponsor(s)

SANBORN H  
WOODSOME D

Committee Report

OTP-AM

Amendments Adopted

H-429

This bill amends the law regarding the transfer of funds by the Efficiency Maine Trust from the Regional Greenhouse Gas Initiative Trust Fund to the Public Utilities Commission for the purpose of the commission's making disbursements to affected manufacturing customers in proportion to their retail purchase of electricity. The bill removes the requirement to transfer \$3,000,000 per year to the Public Utilities Commission and instead directs the commission to determine the total amount to be disbursed based on a percentage. The bill allows affected customers to opt out of receiving a disbursement. The bill requires an affected customer to use the entire amount disbursed by the commission toward the cost of an approved efficiency measure in order for the affected customer to be eligible to receive matching funds from Efficiency Maine Trust.

**Committee Amendment "A" (H-429)**

This amendment replaces the bill. It requires the Efficiency Maine Trust to transfer \$2,500,000 in fiscal year 2017-18, \$2,500,000 in fiscal year 2018-19 and \$1,000,000 in fiscal year 2019-20 from the Regional Greenhouse Gas Initiative Trust Fund to the Public Utilities Commission to disburse to certain energy-intensive manufacturers defined in statute as affected customers. The amendment clarifies that disbursements to affected customers are to be made on a quarterly basis. It allows an affected customer to elect not to receive a disbursement for fiscal years 2017-18 to 2019-20, which would make that customer eligible to receive financial or other assistance from the Efficiency Maine Trust from the Regional Greenhouse Gas Initiative Trust Fund. It provides the Efficiency Maine Trust with discretion in directing remaining regional greenhouse gas initiative funds to programs, instead of being

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required to allocate 50% of those funds to residential programs and 50% of those funds to commercial and industrial programs. Lastly, it limits the assessment under the natural gas conservation program on a large-volume manufacturer to be allowed only on the first 1,000,000 centum cubic feet of natural gas used by that manufacturer in each year, but specifies that this limitation does not limit the ability of a large-volume manufacturer from participating in a natural gas conservation program and it does not affect the determination of the trust on the total amount necessary to capture all cost-effective energy efficiency that is achievable and reliable.

**Enacted Law Summary**

Public Law 2017, chapter 282 requires the Efficiency Maine Trust to transfer \$2,500,000 in fiscal year 2017-18, \$2,500,000 in fiscal year 2018-19 and \$1,000,000 in fiscal year 2019-20 from the Regional Greenhouse Gas Initiative Trust Fund to the Public Utilities Commission to disburse to certain energy-intensive manufacturers defined in statute as affected customers. The law clarifies that disbursements to affected customers are to be made on a quarterly basis. It allows an affected customer to elect not to receive a disbursement for fiscal years 2017-18 to 2019-20, which would make that customer eligible to receive financial or other assistance from the Efficiency Maine Trust from the Regional Greenhouse Gas Initiative Trust Fund. It provides the Efficiency Maine Trust with discretion in directing remaining regional greenhouse gas initiative funds to programs, instead of being required to allocate 50% of those funds to residential programs and 50% of those funds to commercial and industrial programs. Lastly, it limits the assessment under the natural gas conservation program on a large-volume manufacturer to be allowed only on the first 1,000,000 centum cubic feet of natural gas used by that manufacturer in each year, but specifies that this limitation does not limit the ability of a large-volume manufacturer from participating in a natural gas conservation program and it does not affect the determination of the trust on the total amount necessary to capture all cost-effective energy efficiency that is achievable and reliable.

**LD 1342 An Act Regarding Grid-scale Wind Energy Development**

**ONTP**

Sponsor(s)

DION M

Committee Report

ONTP

Amendments Adopted

This bill specifies that associated facilities constructed for wind energy development do not include utility-owned facilities and utility-owned facilities are not part of a wind energy development or offshore wind power project.

**LD 1352 An Act To Advance Locally Owned Solar Energy Systems**

**Leave to Withdraw Pursuant to Joint Rule**

Sponsor(s)

WOODSOME D

Committee Report

Amendments Adopted

This bill requires the Public Utilities Commission to issue a request for proposals to procure 35 megawatts of grid-scale solar electricity. This bill requires that one project be 10 megawatts in size and be located on a qualifying brownfields site, three projects be 5 megawatts in size and five projects be 2 megawatts in size. In addition to meeting other requirements, an applicant for a grid-scale project must show that at least 51% of the facility is owned locally in order to be eligible for a contract. The commission may direct investor-owned transmission and distribution utilities to enter into contracts with a term of 20 years for the energy and capacity of a project at a rate of \$0.067 per kilowatt-hour. The bill directs the commission to adopt rules to implement the procurement process and to ensure protections for ratepayers.

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**LD 1372 An Act To Increase Broadband Access for Rural Communities**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E MAKER J		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enact measures designed to increase broadband access for rural communities. Specifically, this bill proposes to:

1. Direct the ConnectME Authority to create an accurate map of broadband coverage in the State. The mapping project should delineate, at a minimum:
  - A. Those areas of the State that do not have access to broadband coverage;
  - B. For those areas of the State without access to broadband coverage, the infrastructure in place that might be used to expand access, including, but not limited to, poles, nodes, and fiber optic cable; and
  - C. For those areas of the State with access to broadband coverage, the type or types of available broadband coverage and the associated connection speeds; and
2. Direct the ConnectME Authority to provide funding for the provision of digital literacy programs, particularly in rural areas of the State. A digital literacy program funded pursuant to this requirement must have a history of success in increasing fluency in the use and security of interactive digital tools and searchable networks, including the ability to use digital tools safely and effectively for learning, collaborating and producing.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1373 An Act To Protect and Expand Access to Solar Power in Maine**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY S DION M		

This bill amends the laws governing net energy billing. It prohibits a charge to a customer that elects to use net energy billing. It provides specific provisions related to net energy billing including:

1. It provides that customers using net energy billing receive bill credits netted against delivery and supply charges on a one-to-one basis;
2. It provides that unused bill credits accumulate on a 12-month rolling basis;
3. It limits the installed capacity of an eligible facility to 2 megawatts in the territory of an investor-owned transmission and distribution utility and to 100 kilowatts in the territory of a consumer-owned transmission and distribution utility, except that the consumer-owned transmission and distribution utility may elect to allow an eligible facility with installed capacity up to 2 megawatts;
4. It allows an eligible facility with shared ownership or third-party ownership to be eligible for net energy billing

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and prohibits the Public Utilities Commission from limiting the number of participants in a shared ownership project, but allows the commission to set a minimum share size; and

5. It requires a comprehensive review of ratepayer benefits and costs from net energy billing when any investor-owned transmission and distribution utility in the State enters into net energy billing agreements for a total generating capacity equal to 5% of the annual peak demand and again for every additional 3% of the utility's annual peak demand thereafter.

This bill also establishes a solar energy rebate program to be administered by the Efficiency Maine Trust. The program is to be funded through an assessment collected by the Public Utilities Commission from transmission and distribution utilities. Available funds are to be distributed in the following manner: 40% to eligible commercial customers, 20% to low-income or moderate-income residents and 40% to other eligible residents.

This bill requires the trust to adopt routine technical rules to administer the program and requires the trust to submit an annual report to the Legislature that describes the actions of the trust related to the rebate program.

**House Amendment "A" (H-566)**

This amendment strikes the bill, adds a new title and specifies that the rules adopted by the Public Utilities Commission regarding net energy billing relating to determining the reduction of the percentage of net energy included in determining a customer's transmission and distribution bill must allow that percentage to be applied only to the excess energy generation subject to the net energy billing arrangement.

This amendment was not adopted.

This bill was delivered to the House pursuant to Joint Rule 309 without a committee report and then committed again to the committee; it was then carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1399 An Act To Encourage Broadband Coverage in Rural Maine**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S BERRY S	OTP-AM ONTP	S-223

This bill repeals the provisions of law establishing and governing the ConnectME Authority and establishes the Maine Broadband Initiative as a nonprofit corporation with public and charitable purposes to encourage, promote, stimulate, invest in and support universal high-speed broadband to unserved and underserved areas of the State. The initiative is governed by a board of directors. The bill establishes the Maine Broadband Initiative Fund, which is funded by assessments on communications service providers and tax assessments on qualified telecommunications equipment of telecommunications businesses. The bill provides for a transition from the ConnectME Authority to the new Maine Broadband Initiative.

**Committee Amendment "A" (S-223)**

This amendment is the majority report of the committee and it makes the following changes to the bill:

1. It clarifies the process for the appointment and confirmation of the Maine Broadband Initiative director by requiring that the Governor appoint a person who has experience in the management of organizations that maximize partnerships and collaborations. The amendment also provides that the appointee is subject to review by the joint standing committee of the Legislature having jurisdiction over public utilities and technology matters rather than telecommunications and broadband matters and must be confirmed by the Legislature rather than the Board of

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Directors of the Maine Broadband Initiative;

- 2. It changes the definition of "unserved area" to mean an area within the State that has an actual broadband speed that is slower than 10 megabits per second, rather than 25 megabits as in the bill;
- 3. It removes a policy and goal of the Maine Broadband Initiative from the bill;
- 4. It changes the criteria that the Governor must consider when making an appointment to the Board of Directors of the Maine Broadband Initiative;
- 5. It removes the provision in the bill that allows appointment of directors of the Board of Directors of the Maine Broadband Initiative by the Speaker of the House of Representatives and the President of the Senate;
- 6. It further changes the composition of the membership of the Board of Directors of the Maine Broadband Initiative;
- 7. It limits administrative costs of the Maine Broadband Initiative to no more than 10% of the annual funds received from the Maine Broadband Initiative Fund;
- 8. It changes the date from July 1st to September 1st as it relates to the crediting of the tax assessment by the State Tax Assessor to the Maine Broadband Initiative Fund; and
- 9. It adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 1444     An Act Regarding Large-scale Community Solar Procurement**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D BERRY S		

This bill directs the Public Utilities Commission to enter into long-term contracts with a duration of 20 years for the procurement of 120 megawatts of large-scale community solar distributed generation resources by 2022.

The bill designates a standard buyer, which the bill specifies is the investor-owned transmission and distribution utility in its service territory. The bill allows the commission to designate another entity as the standard buyer if the commission determines it is in the best interest of ratepayers to do so. The purpose of the standard buyer is to purchase the output of large-scale community solar distributed generation resources, aggregate the portfolio of distributed generation resources procured and sell or use the output of these resources in a manner that maximizes the value of this portfolio of resources to all ratepayers.

The bill directs the commission to conduct an initial competitive solicitation for 30 megawatts of output of large-scale community solar distributed generation by March 1, 2018. The bill directs the commission and standard buyer to develop a contract prior to a solicitation that will ensure that projects proceed to commercial operation on a reasonable timeline and commits all parties to commercially reasonable behavior.

The bill gives the commission authority to establish requirements for bidder eligibility and standards to ensure competition in the bidding process. The bill also specifies that if the solicitation is determined competitive the commission must select one or more winning bids and direct the standard buyer to negotiate and enter into a

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contract with the winning bidder or bidders. If the commission concludes the solicitation is not competitive, no bidders may be selected and the capacity available in that solicitation must be deferred to a subsequent solicitation. The bill requires the commission to select bids that maximize the benefits or minimize the costs to all ratepayers.

The bill requires after the first solicitation that the highest bid rate awarded a contract is the standard solar rate. For each subsequent procurement for 30 megawatts of large-scale community solar distributed generation resources, the commission must establish a declining block rate by reducing the rate awarded in the previous procurement by up to 3%. Bidders in subsequent procurement must submit both a standard bid rate and a discounted bid rate. The bill specifies that if the total bids received in the aggregate is for less than 30 megawatts in subsequent solicitations, contracts will be awarded to all bidders at the applicable declining block rate; however, if the total bids received in the aggregate is for more than 30 megawatts, preference will be given to those bidders with the lowest discounted bid rate and contracts must be awarded to all selected bidders at the lowest qualified discounted bid rate. The bill requires that if there are multiple bids at the same discounted bid rate, preference will be given to the project that was submitted first, as determined by the time stamp showing when the bid was received by the commission.

The bill specifies that the bill credit allocated to a subscriber to a particular large-scale community solar distributed generation resource must be based on each subscriber's percentage interest of the total production of the large-scale community solar distributed generation resource for the previous month. The bill requires the project sponsor to provide to the transmission and distribution utility, on a monthly basis, the information required to calculate the bill credit to be provided to each subscriber. The bill includes provisions on how payments to a subscriber must be credited against the subscriber's monthly electricity bill.

The bill requires the Public Utilities Commission to adopt routine technical rules regarding the procurement of large-scale community solar distributed generation resources by January 1, 2018.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1472      An Act To Lower the Costs of Broadband Service by Coordinating the      CARRIED OVER  
Installation of Broadband Infrastructure**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN A		

This bill requires public entities constructing or causing to be constructed certain construction projects to install or cause to be installed broadband conduit as part of the construction project. Construction projects covered include projects to construct new or replace existing water or sewer lines in the right-of-way of a highway or public road; to construct a new highway or public road; or to construct or relocate an additional lane or shoulder for an existing highway or public road. The bill authorizes public entities to lease the installed broadband conduit to broadband providers to install fiber-optic or other cables that support broadband and wireless facilities for broadband service. The bill directs the ConnectME Authority, in collaboration with the Department of Transportation, to provide technical and educational assistance and requires the ConnectME Authority to maintain a map of broadband conduit installation in the State.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1487      An Act To Control Electricity Transmission Costs through the      CARRIED OVER  
Development of Nontransmission Alternatives**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION M		

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This bill changes the requirement regarding the development, implementation, operation and management of nontransmission alternatives for proposed transmission lines and proposed transmission projects. This bill requires that a smart grid coordinator appointed by the Public Utilities Commission develop a nontransmission alternative to a proposed transmission line or proposed transmission project.

The bill provides that a smart grid coordinator must be an entity incorporated in the State; may not be a transmission and distribution utility located in the State or an affiliate of a transmission and distribution utility located in the State; and must have a demonstrated record of developing, operating and managing nontransmission alternatives.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1504 An Act To Modernize Rates for Small-scale Distributed Generation**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	OTP-AM	S-276
GROHMAN M	OTP-AM	H-554 HARVELL L

This bill amends the law regarding net energy billing and makes the adoption of net energy billing rules major substantive instead of routine technical, except that rules adopted to be consistent with the changes in the Maine Revised Statutes, Title 35-A, section 3209-A, subsection 1, substantively equivalent to the rules in effect prior to March 29, 2017 and that must be completed by December 1, 2017, are routine technical rules.

The bill directs the Public Utilities Commission to enter into long-term contracts with a duration of 20 years for the procurement of 50 megawatts of large-scale commercial solar distributed generation resources by 2022. The bill requires that 8 megawatts of the 50-megawatt procurement target be from large commercial solar distributed generation resources for projects associated with an agricultural or forest products business.

The bill creates a standard buyer, which the bill specifies is the investor-owned transmission and distribution utility in its service territory. The bill allows the commission to designate another entity as the standard buyer if it determines it is in the best interest of ratepayers to do so. The purpose of the standard buyer is to purchase the output of each category of distributed generation resource, aggregate the portfolio of distributed generation resources procured and sell or use the output of these resources in a manner that maximizes the value of this portfolio of resources to all ratepayers.

The bill directs the commission to conduct competitive solicitations for 20% of the five-year target procurement for long-term contracts for the output of large-scale commercial solar distributed generation resources twice per year. The bill directs the commission and standard buyer to develop a contract prior to a solicitation that will ensure that projects proceed to commercial operation on a reasonable timeline and commits all parties to commercially reasonable behavior.

The bill gives the commission authority to establish requirements for bidder eligibility and standards to ensure competition in the bidding process. The bill also specifies that if the solicitation is fully competitive, the commission must select one or more winning bids and direct the standard buyer to negotiate and enter into a contract with the winning bidder or bidders. If the commission concludes the solicitation is not competitive, no bidders may be selected and the capacity available in that solicitation must be deferred to a subsequent solicitation. The bill requires the commission to select bids that maximize the benefits or minimize the costs to all ratepayers.

The bill directs the commission to give preference to projects associated with affordable multifamily housing. The bill requires the commission to review bids for projects associated with affordable multifamily housing at 1¢ less per kilowatt-hour than the actual bid, but if such a project is awarded a contract, it is paid at the actual bid rate and



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not the rate used for review. This same process is allowed in the bill after December 31, 2019, for projects associated with an agricultural or forest products business if the commission determines that solicitations are not likely to result in the procurement of 8 megawatts of solar projects associated with an agricultural or forest products business by 2022.

The bill also includes a small business distributed generation credit rate program as an alternative to net energy billing for nonresidential customers.

The bill includes language on how bill credits are to be determined for a customer.

The bill requires the Public Utilities Commission to adopt routine technical rules regarding the procurement of large-scale commercial solar distributed generation resources by January 1, 2018.

The bill also requires the commission to submit multiple reports on the effectiveness of the bill credit program at increasing installations of distributed generation resources and its expected short-term and long-term effect on ratepayers, as well as multiple reports regarding net energy billing and alternatives to net energy billing.

### **Committee Amendment "A" (S-276)**

This amendment is the majority report of the committee, and it replaces the bill. It does the following regarding net energy billing:

1. It requires a net energy billing customer to receive 100% of the net energy of an eligible facility for the customer's transmission and distribution bill until December 31, 2021;
2. It prohibits a transmission and distribution utility from requiring a customer to meter the gross output of an eligible facility in order to participate in net energy billing;
3. It limits to 200 the number of eligible customers that may participate in a single shared interest in an eligible facility or the number of meters associated with a single shared interest, except in the service territory of a transmission and distribution utility located in an area administered by the independent system administrator for northern Maine; and
4. It requires the Public Utilities Commission to amend its current net energy billing rules before January 1, 2018, to be consistent with the Maine Revised Statutes, Title 35-A, section 3209-A.

This amendment also requires the Public Utilities Commission to submit a report by January 1, 2021, that includes recommendations on how to transition from net energy billing to time-of-use rates, market-based rates or other rate design options. In its report, the commission must include information regarding an analysis of costs and benefits of net energy billing, which it is required to conduct in an adjudicatory proceeding, as well as how those costs and benefits compare to any recommendations the commission makes in this report.

### **Committee Amendment "B" (S-277)**

This amendment is the minority report of the committee, and it replaces the bill. It does the following regarding net energy billing:

1. It allows an eligible customer to elect net energy billing until December 31, 2017, after which time no new net energy billing arrangements may be allowed;
2. It allows net energy billing arrangements entered into prior to December 31, 2017, to remain in effect until December 31, 2032;
3. It prohibits a transmission and distribution utility from requiring a customer to meter the gross output of an

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eligible facility in order to participate in net energy billing; and

4. It limits to 50 the number of eligible customers that may participate in a single shared interest in an eligible facility or the number of meters associated with a single shared interest, except in the service territory of a transmission and distribution utility located in an area administered by the independent system administrator for northern Maine.

The amendment establishes a market-based crediting system for energy generated by eligible facilities. It requires the Public Utilities Commission to adopt rules to allow an eligible customer to receive a monetary credit for energy generated by an eligible facility in excess of the customer's usage and exported to the grid at the real-time wholesale market price of that energy. As in the provisions relating to net energy billing, a transmission and distribution utility is prohibited from requiring a customer to meter the gross output of an eligible facility in order to participate in the crediting system, and the number of eligible customers that may participate in a single shared interest in an eligible facility, or the number of meters associated with a single shared interest, is limited to 50. The amendment exempts a transmission and distribution utility located in an area administered by the independent system administrator for northern Maine, or any successor of the independent system administrator for northern Maine, from using this crediting system until the Public Utilities Commission determines the utility's billing system can perform the necessary functions to implement the system. It requires the commission to consider whether an alternative system to the crediting system for northern Maine could be developed and utilized in the interim period before the utility's billing system is modified to allow a market-based crediting system.

It requires the Public Utilities Commission to procure, to the maximum extent possible, 20 megawatts of large-scale community solar distributed generation resources. It requires that the contract rate be calculated annually and that no contract may be for more than 6¢ per kilowatt-hour or the average wholesale electricity rate over the preceding 12 months, whichever is less.

Lastly, it requires the Public Utilities Commission to conduct an analysis of the costs and benefits to ratepayers for both net energy billing and the market-based crediting system in an adjudicatory proceeding and to report those findings to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters no later than January 1, 2019.

This amendment was not adopted.

### **Senate Amendment "A" To Committee Amendment "A" (S-293)**

This amendment makes the following changes to Committee Amendment "A."

1. It requires a net energy billing customer to receive 100% of the net energy of an eligible facility for the customer's transmission and distribution bill until December 31, 2019, instead of December 31, 2021.
2. It changes from 200 to 100 the limit on the number of eligible customers that may participate in a single shared interest in an eligible facility or the number of meters associated with a single shared interest, except in the service territory of a transmission and distribution utility located in an area administered by the independent system administrator for northern Maine.
3. It changes the report date for the Public Utilities Commission to January 1, 2020, for recommendations on how to transition from net energy billing to time-of-use rates, market-based rates or other rate design options.

This amendment was adopted in the Senate.

### **House Amendment "B" To Committee Amendment "A" (H-554)**

This amendment to Committee Amendment "A" requires a net energy billing customer that applies for a net energy billing arrangement by December 31, 2017, to receive 100% of the net energy of an eligible facility for the

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customer's transmission and distribution bill, a customer that applies for a net energy billing arrangement after December 31, 2017, and by December 31, 2018, to receive 90% of the net energy of an eligible facility for the customer's transmission and distribution bill and a customer that applies for a net energy billing arrangement after December 31, 2018, and by December 31, 2019, to receive 80% of the net energy of an eligible facility for the customer's transmission and distribution bill. It allows the Public Utilities Commission by rule to reduce by up to 10% in any calendar year after December 31, 2019, the percentage of an eligible customer's net energy that applies to that customer's transmission and distribution bill as long as any reduction applies only to customers that apply for a net energy billing arrangement in that calendar year. It specifies that an eligible customer that applies for a net energy billing arrangement by December 31, 2017, may continue with the net energy billing arrangement until the end of the calendar year in 2032 and that an eligible customer that applies for a net energy billing arrangement after December 31, 2017, may continue with that net energy billing arrangement until the end of the calendar year that is 15 years from the year in which the customer applied for the net energy billing arrangement. It reduces from 200 to 100 the number of eligible customers that may participate in a shared interest in an eligible facility or the number of meters associated with a single shared interest in an eligible facility. It changes the date for a report required to be submitted to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by the Public Utilities Commission from January 1, 2021, to January 1, 2019, and it requires that the Public Utilities Commission conclude an adjudicatory proceeding by December 31, 2018. This amendment also removes changes made regarding exit fees.

**LD 1513      An Act To Provide for Affordable Long-term Energy Prices in Maine      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K	ONTP	

This bill prohibits the Public Utilities Commission from directing an investor-owned transmission and distribution utility to enter into a long-term contract for capacity resources or energy or renewable energy credits associated with capacity resources unless the commission determines that the in-state economic benefits substantially outweigh the expected costs of the contract.

**LD 1514      An Act To Provide Maine Landlords Advance Notice of Water Disconnection Postings      Died Between Houses**

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

This bill requires a water utility to provide a landlord who is billed for water utility service for a rental property written notice at least three days prior to the water utility's posting any disconnection notices at the rental property.

**Committee Amendment "A" (H-273)**

This amendment is the minority report of the committee and replaces the bill. It requires that a water utility provide a landlord that is billed for water service provided to a rental property notice of an upcoming posting of a disconnection notice at the rental property before that water utility posts the disconnection notice.

This amendment was not adopted.

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**LD 1515 An Act To Reduce Electric Rates for Maine Businesses by Amending the Laws Governing Spending from the Regional Greenhouse Gas Initiative Trust Fund**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N		

This bill establishes a ceiling on energy efficiency spending from the Regional Greenhouse Gas Initiative Trust Fund; provides for transfers from the trust fund to Maine-based energy-intensive businesses, in addition to transfers to affected customers; requires that funds over a certain amount be distributed to ratepayers; and authorizes the Public Utilities Commission to adopt implementing rules. This bill also authorizes the Efficiency Maine Trust, during fiscal years 2017-18 and 2018-19, to deviate from the allocation requirements set forth in the statutes and instead allocate those funds to the programs that the trust determines.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1516 An Act To Encourage Broadband Development through Private Investment**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N	ONTP	

This bill creates requirements that a municipality must meet in order to provide broadband service to its residents. It requires the completion of a feasibility study and requires the municipality to hold a referendum to decide whether the municipality may offer broadband service. It includes general operation limitations, including those related to the establishment of rates, the use of subsidization and the use of eminent domain. It requires the adoption of ordinances relating to service quality and enforcement by a municipality that elects to provide broadband service. It also removes antitrust liability protections from a municipality as those protections relate to the municipality's offering broadband service.

The bill also requires that in order to receive any grants from the ConnectME Authority, the municipality must show evidence of compliance with the requirements of the Maine Revised Statutes, Title 35-A, chapter 94.

**LD 1547 An Act To Establish Primary Energy Goals for the State**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH N WOODSOME D	ONTP	

This bill changes the State's energy goals to establish that the primary objectives of the State's energy policy are to reduce electric rates and costs and to reduce air pollution. It repeals state policies and goals related to energy generation from renewable resources and to wind energy development.

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**LD 1610 An Act To Protect Privacy of Online Customer Personal Information**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BELLOWS S CASAS O		

This bill prohibits a provider of broadband Internet access service from using, disclosing, selling or permitting access to customer personal information unless the customer expressly consents to that use, disclosure, sale or access. The bill provides other exceptions under which a provider may use, disclose, sell or permit access to customer personal information. The bill prohibits a provider from refusing to serve a customer, charging a customer a penalty or offering a customer a discount if the customer does or does not consent to the use, disclosure, sale or access. The bill requires providers to take reasonable measures to protect customer personal information from unauthorized use, disclosure, sale or access. The provisions of the bill apply to providers operating within the State when providing broadband Internet access service to customers that are billed for service received in the State and are physically located in the State.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1632 An Act To Establish the Manufacturing Jobs Energy Program**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J STANLEY S		

This bill establishes the manufacturing jobs energy program to encourage growth of forest products and wood manufacturing jobs tied to installed megawatt capacity from new renewable energy from combined heat and power, including biomass energy from manufacturing residues. The program is administered by the Public Utilities Commission.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1634 An Act To Update the Scheduling Guidelines for Review of Agencies or Independent Agencies under the State Government Evaluation Act**

**PUBLIC 255**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

This bill was reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to a joint order. This bill changes the review schedule under the State Government Evaluation Act for the Public Advocate, the Public Utilities Commission and the Telecommunications Relay Services Advisory Council.

**Enacted Law Summary**

Public Law 2015, chapter 255 changes the review schedule under the State Government Evaluation Act for the Office of the Public Advocate, the Public Utilities Commission and the Telecommunications Relay Services Advisory Council.

# *Joint Standing Committee on Energy, Utilities and Technology*

## **SUBJECT INDEX**

### **Agency Matters - PUC/OPA/GEO/EMT**

#### **Enacted**

LD 1313	An Act To Establish Energy Policy in Maine	PUBLIC 282
LD 1634	An Act To Update the Scheduling Guidelines for Review of Agencies or Independent Agencies under the State Government Evaluation Act	PUBLIC 255

#### **Not Enacted**

LD 260	An Act To Create the Maine Energy Office	CARRIED OVER
LD 802	An Act To Strengthen the Independence of the Public Advocate	ONTP
LD 1513	An Act To Provide for Affordable Long-term Energy Prices in Maine	ONTP
LD 1515	An Act To Reduce Electric Rates for Maine Businesses by Amending the Laws Governing Spending from the Regional Greenhouse Gas Initiative Trust Fund	CARRIED OVER

### **Biomass**

#### **Not Enacted**

LD 131	An Act To Protect the Biomass Industry	CARRIED OVER
LD 1632	An Act To Establish the Manufacturing Jobs Energy Program	CARRIED OVER

### **Broadband**

#### **Enacted**

LD 256	An Act To Ensure Continued Availability of High-speed Broadband Internet at Maine's Schools and Libraries	PUBLIC 244
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#### **Not Enacted**

LD 140	An Act To Authorize a General Fund Bond Issue To Support Entrepreneurial Activity, Attract Business and Enhance Demographic In-migration by Investing in High-speed Broadband Infrastructure and To Amend the Law Governing the Municipal Gigabit Broadband Network Access Fund	CARRIED OVER
LD 421	An Act To Promote Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investment in High-speed Internet	ONTP

LD 423	An Act To Extend Internet Availability in Rural Maine	CARRIED OVER
LD 1176	An Act To Ensure the Safety of Low-income Persons Who Are Deaf and Who Use Video and Captioned Phones by Providing Equitable Access to the Internet	CARRIED OVER
LD 1372	An Act To Increase Broadband Access for Rural Communities	CARRIED OVER
LD 1399	An Act To Encourage Broadband Coverage in Rural Maine	
LD 1472	An Act To Lower the Costs of Broadband Service by Coordinating the Installation of Broadband Infrastructure	CARRIED OVER
LD 1516	An Act To Encourage Broadband Development through Private Investment	ONTP
LD 1610	An Act To Protect Privacy of Online Customer Personal Information	CARRIED OVER

### **Dig Safe**

#### **Not Enacted**

LD 405	An Act To Make Changes to the So-called Dig Safe Law	ONTP
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### **E911**

#### **Enacted**

LD 825	An Act To Ensure Direct Dialing of 911 from Multiline Telephone Systems	PUBLIC 48
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#### **Not Enacted**

LD 474	An Act To Allow a Public Safety Answering Point To Be Reimbursed for Training Costs	ONTP
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### **Electricity**

#### **Enacted**

LD 755	An Act To Amend the Law Regarding Nontransmission Alternatives Investigations Required for Proposed Transmission Lines and Projects	PUBLIC 201
LD 756	An Act To Clarify the Authority of an Affiliate of a Utility To Own Power Generation outside of the Utility's Territory	PUBLIC 287
LD 803	An Act To Improve Transparency in the Electricity Supply Market	PUBLIC 74
LD 1061	An Act To Increase Investment and Regulatory Stability in the Electric Industry	PUBLIC 134
LD 1147	An Act To Modernize the Renewable Portfolio Standard	PUBLIC 291

#### **Not Enacted**

LD 229	An Act To Prohibit an Electric Utility from Charging a Customer for Using an Electromechanical Meter	Died Between Houses
LD 240	An Act To Increase Transparency in Maine's Electricity Market	ONTP
LD 255	An Act To Implement Electric Grid Reliability Recommendations	ONTP

LD 257	An Act To Enable Municipalities Working with Utilities To Establish Microgrids	CARRIED OVER
LD 259	An Act To Limit Rates Charged by Competitive Electricity Providers	ONTP
LD 529	An Act To Ensure Resiliency of the Maine Electrical Grid	Veto Sustained
LD 532	An Act To Remove the 100-megawatt Limit on Hydroelectric Generators under the Renewable Resources Laws	CARRIED OVER
LD 1157	An Act To Create a Limited Microgrid Project To Stimulate Economic Development in Northern Maine	ONTP
LD 1185	An Act Regarding Renewable Portfolio Standards	ONTP
LD 1224	An Act To Allow for Greater Energy Competition in Maine by Amending the Law Governing Electric Generation or Generation-related Assets by Affiliates	CARRIED OVER
LD 1487	An Act To Control Electricity Transmission Costs through the Development of Nontransmission Alternatives	CARRIED OVER

### **Energy Policy**

#### **Not Enacted**

LD 1547	An Act To Establish Primary Energy Goals for the State	ONTP
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### **Miscellaneous**

#### **Not Enacted**

LD 58	An Act To Limit Radio Frequency Interference from Certain Grow Light Ballasts	ONTP
LD 1062	Resolve, To Expand the Availability of Light-duty Zero Emission Vehicle Supply Equipment	Veto Sustained
LD 1299	An Act To Amend the Charter of the Town of Madison's Department of Electric Works	ONTP

### **Natural Gas**

#### **Enacted**

LD 344	An Act To Provide Opportunity for Energy Cost Reduction for Maine Businesses and Citizens	PUBLIC 22
LD 1151	An Act To Allow Promotional Allowances by Gas Utilities	PUBLIC 83

#### **Not Enacted**

LD 822	An Act To Ensure Fairness among Large Consumers of Natural Gas	CARRIED OVER
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## *Solar Energy*

### Not Enacted

LD 1124	An Act To Promote the Development of Solar Energy in Maine	ONTP
LD 1352	An Act To Advance Locally Owned Solar Energy Systems	Leave to Withdraw Pursuant to Joint Rule 310
LD 1373	An Act To Protect and Expand Access to Solar Power in Maine	CARRIED OVER
LD 1444	An Act Regarding Large-scale Community Solar Procurement	CARRIED OVER
LD 1504	An Act To Modernize Rates for Small-scale Distributed Generation	Veto Sustained

## *Telecommunications*

### Enacted

LD 406	An Act To Amend the Law Regarding Joint Use of Certain Utility and Telecommunications Infrastructure	PUBLIC 199
LD 461	Resolve, Regarding Legislative Review of Chapter 220: Removal of Provider of Last Resort Service Obligation, a Major Substantive Rule of the Public Utilities Commission	RESOLVE 4 EMERGENCY
LD 754	An Act To Repeal or Clean Up Outdated Telecommunications Statutes	PUBLIC 73

## *Water/Sewer/Sanitary - General*

### Enacted

LD 686	An Act To Remove Restrictions on the Membership of Regional Water Councils	PUBLIC 58
LD 759	An Act To Clarify the Financial Authority of Sewer and Sanitary Districts	PUBLIC 151

### Not Enacted

LD 55	An Act To Provide Funding for the Restoration of China Lake	ONTP
LD 422	An Act To Create the Water Resources Planning Committee	Veto Sustained
LD 1514	An Act To Provide Maine Landlords Advance Notice of Water Disconnection Postings	Died Between Houses

## *Water/Sewer/Sanitary Charters*

### Enacted

LD 104	An Act To Change the Time and Location of the Annual Meeting of the Board of Trustees of the Kittery Water District	P & S 1
LD 258	An Act To Amend the Charter of the Southwest Harbor Water and Sewer District	P & S 4
LD 757	An Act To Amend the Charter of the Richmond Utilities District	P & S 7

LD 90      An Act To Amend the Charter of the Rumford Water District      Died Between Houses

**Wind Energy**

**Not Enacted**

LD 1262      An Act To Protect Monhegan Island by Limiting Wind Turbines      ONTP

LD 1342      An Act Regarding Grid-scale Wind Energy Development      ONTP