



# 128th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2018

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Legislative Document

No. 1699

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H.P. 1179

House of Representatives, December 22, 2017

**An Act To Revise the Renewable Portfolio Standard Laws To Allow  
Certain Hydropower Facilities To Qualify as New Renewable  
Capacity Resources**

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

Received by the Clerk of the House on December 19, 2017. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative RYKERSON of Kittery.  
Cosponsored by Senator KEIM of Oxford.

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

2 **Sec. 1. 35-A MRSA §3210, sub-§2, ¶B-4**, as amended by PL 2011, c. 413, §1, is  
3 further amended to read:

4 B-4. "New" as applied to any renewable capacity resource means a renewable  
5 capacity resource that:

6 (1) Has an in-service date after September 1, 2005;

7 (2) Was added to an existing facility after September 1, 2005;

8 (3) For at least 2 years was not operated or was not recognized by the New  
9 England independent system operator as a capacity resource and, after September  
10 1, 2005, resumed operation or was recognized by the New England independent  
11 system operator as a capacity resource; ~~or~~

12 (4) Was refurbished after September 1, 2005 and is operating beyond its  
13 previous useful life or is employing an alternate technology that significantly  
14 increases the efficiency of the generation process; or

15 (5) A new license was received for after January 1, 2018 under the Federal  
16 Energy Regulatory Commission rules, 18 Code of Federal Regulations, Part 16,  
17 the total power production capacity of which as specified in the license does not  
18 exceed 30 megawatts, and that is interconnected with an electric distribution  
19 system located in the State.

20 For the purposes of this paragraph, "capacity resource" has the same meaning as in  
21 section 3210-C, subsection 1, paragraph A. For the purposes of this paragraph, "to  
22 refurbish" means to make an investment in equipment or facilities, other than for  
23 routine maintenance and repair, to renovate, reequip or restore the renewable capacity  
24 resource.

25 **SUMMARY**

26 This bill allows a hydropower facility licensed after January 1, 2018 with a licensed  
27 capacity of no more than 30 megawatts that is interconnected with an electric distribution  
28 system located in Maine to qualify as a new renewable capacity resource for purposes of  
29 meeting renewable energy portfolio standard requirements.