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S.P. 218

In Senate, February 18, 2011

An Act To Prohibit Electric Utilities from Entering into Long-term Supply Agreements

Received by the Secretary of the Senate on February 18, 2011. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by Senator THOMAS of Somerset.

Cosponsored by Senators: MARTIN of Kennebec, MASON of Androscoggin, PLOWMAN of Penobscot, THIBODEAU of Waldo, WHITTEMORE of Somerset.

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

2 **Sec. 1. 35-A MRSA §3143, sub-§3, ¶B**, as enacted by PL 2009, c. 539, §2, is
3 amended to read:

4 B. Deployment and integration into the electric system of renewable capacity
5 resources, as defined in section ~~3210-C, subsection 1, paragraph E~~ 3210, subsection
6 2, paragraph B-3, that are interconnected to the electric grid at a voltage level less
7 than 69 kilovolts;

8 **Sec. 2. 35-A MRSA §3210, sub-§2, ¶B-4**, as enacted by PL 2009, c. 542, §4, is
9 amended to read:

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

- 12 (1) Has an in-service date after September 1, 2005;
- 13 (2) Was added to an existing facility after September 1, 2005;
- 14 (3) For at least 2 years was not operated or was not recognized by the New
15 England independent system operator as a capacity resource and, after September
16 1, 2005, resumed operation or was recognized by the New England independent
17 system operator as a capacity resource; or
- 18 (4) Was refurbished after September 1, 2005 and is operating beyond its
19 previous useful life or is employing an alternate technology that significantly
20 increases the efficiency of the generation process.

21 ~~For the purposes of this paragraph, "capacity resource" has the same meaning as in~~
22 ~~section 3210-C, subsection 1, paragraph A.~~

23 **Sec. 3. 35-A MRSA §3210-C**, as amended by PL 2009, c. 415, Pt. A, §§21 to 23
24 and c. 518, §§1 to 6 and c. 542, §6, is repealed.

25 **Sec. 4. 35-A MRSA §3212, sub-§4-C**, as enacted by PL 2005, c. 677, Pt. B, §2,
26 is amended to read:

27 **4-C. Authority to establish various contract lengths and terms.** For the purpose
28 of providing over a reasonable time period the lowest price for standard-offer service to
29 residential and small commercial customers, the commission, with respect to residential
30 and small commercial standard-offer service, may, in addition to incorporating cost-
31 effective demand response and energy efficiency pursuant to subsection 4-B ~~and to the~~
32 ~~extent authorized in section 3210-C, incorporating the energy portion of any contracts~~
33 ~~entered into pursuant to section 3210-C~~, establish various standard-offer service contract
34 lengths and terms.

35 **Sec. 5. 35-A MRSA §3603, sub-§4**, as enacted by PL 2009, c. 329, Pt. A, §4, is
36 amended to read:

37 **4. Program incentives.** Subject to the requirements of subsection 2, a program
38 participant may elect ~~one of the following program incentives:~~

