



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1342

S.P. 456

In Senate, April 6, 2017

An Act Regarding Grid-scale Wind Energy Development

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

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator DION of Cumberland.

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

2 **Sec. 1. 35-A MRSA §3451, sub-§1**, as enacted by PL 2007, c. 661, Pt. A, §7, is
3 amended to read:

4 **1. Associated facilities.** "Associated facilities" means elements of a wind energy
5 development other than its generating facilities that are necessary to the proper operation
6 and maintenance of the wind energy development, including but not limited to buildings,
7 access roads, generator lead lines and substations. "Associated facilities" does not
8 include utility-owned facilities.

9 **Sec. 2. 35-A MRSA §3451, sub-§§5 and 6**, as enacted by PL 2007, c. 661, Pt.
10 A, §7, are amended to read:

11 **5. Generating facilities.** "Generating facilities" means wind turbines and towers and
12 transmission lines, not including generator lead lines, that are immediately associated
13 with the wind turbines. "Generating facilities" does not include utility-owned facilities.

14 **6. Grid-scale wind energy development.** "Grid-scale wind energy development"
15 means a wind energy development that is of a size that would qualify as a development of
16 state or regional significance that may substantially affect the environment as defined
17 under Title 38, section 482, subsection 2, paragraph A or paragraph C. "Grid-scale wind
18 energy development" does not include utility-owned facilities.

19 **Sec. 3. 35-A MRSA §3451, sub-§10-C** is enacted to read:

20 **10-C. Utility-owned facilities.** "Utility-owned facilities" means facilities that are
21 owned and operated by a transmission and distribution utility and that are necessary for
22 the interconnection of a wind energy development to the electric grid, including but not
23 limited to substations, switchyards, transmission lines and associated corridors and other
24 voltage control and reactive power control devices.

25 **Sec. 4. 35-A MRSA §3451, sub-§11**, as enacted by PL 2007, c. 661, Pt. A, §7, is
26 amended to read:

27 **11. Wind energy development.** "Wind energy development" means a development
28 that uses a windmill or wind turbine to convert wind energy to electrical energy for sale
29 or use by a person other than the generator. A wind energy development includes
30 generating facilities and associated facilities, but does not include utility-owned facilities.

31 **Sec. 5. 38 MRSA §482, sub-§8**, as enacted by PL 2009, c. 615, Pt. E, §16, is
32 amended to read:

33 **8. Offshore wind power project.** "Offshore wind power project" means a project
34 that uses a windmill or wind turbine to convert wind energy to electrical energy and is
35 located in whole or in part within coastal wetlands as defined in section 480-B,
36 subsection 2. "Offshore wind power project" includes both generating facilities as
37 defined by Title 35-A, section 3451, subsection 5 and associated facilities as defined by
38 Title 35-A, section 3451, subsection 1, without regard to whether the electrical energy is

1 for sale or use by a person other than the generator. "Offshore wind power project" does
2 not include utility-owned facilities as defined in Title 35-A, section 3451, subsection
3 10-C.

4 **SUMMARY**

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