

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the resolve in the emergency preamble in the 3rd paragraph after the title in the first and 2nd lines (page 1, lines 5 and 6 in L.D.) by striking out the following: ", including wind energy,"

Amend the resolve in the emergency preamble in the 8th paragraph after the title in the last line (page 1, line 25 in L.D.) by inserting after the following: "organization" the following: ', a proceeding which may be joined by Bangor Hydro Electric Company'

Amend the resolve by striking out all of section 1 and inserting in its place the following:

‘Sec. 1 Public Utilities Commission order regarding alternative structure.

Resolved: That should the Public Utilities Commission determine, in a proceeding pursuant to paragraph 43 of the stipulation approved by the Public Utilities Commission in PUC Docket No. 2007-355, that it is in the interests of Maine consumers, considering, among other factors, the State's policy to encourage the development of indigenous renewable power resources, for Maine's transmission and distribution utilities to provide timely notice of nonrenewal of any membership in Independent System Operator New England, the Public Utilities Commission then shall subsequently, but no earlier than March 31, 2009, order Maine's 3 investor-owned transmission and distribution utilities to file with the commission a plan in accordance with this section to form an alternative structure to hold, manage, dispatch and expand the transmission assets of the investor-owned transmission and distribution utilities.

1. The plan must encourage development of indigenous renewable power resources, including but not limited to wind, tidal, hydroelectric, solar, geothermal and biomass resources, and energy efficiency and conservation resources in the State.

2. The plan must include requests for certificates of public convenience and necessity by the investor-owned utilities to directly interconnect the transmission system of Maine Public Service Company with the transmission system of Bangor Hydro Electric Company or Central Maine Power Company and otherwise expand the transmission system in Maine to maintain reliability and to facilitate the economic interconnection of indigenous renewable power resources. If requests for certificates of public convenience and necessity for such interconnection and reliability projects have already been submitted to the commission for approval prior to the submission of the plan, the plan must address the incorporation of the proposed interconnection and reliability projects, without prejudicing the commission's determination of whether such projects are in the public interest.

3. The plan must include all relevant commercial agreements necessary to implement the plan and petitions for all relevant regulatory approvals.

4. The plan must enable the investor-owned utilities, subject to any required regulatory approvals, to provide timely notice of a decision to not renew membership in, and to effect a withdrawal from, ISO New England no later than the scheduled termination of the regional transmission organization's transmission owners agreement pursuant to its terms.

5. The plan may include proposals for mutually beneficial international arrangements.

After the plan has been filed with the commission, the commission shall undertake a review of the plan and allow for public comment on the plan; and be it further

Sec. 2 Public Utilities Commission report. Resolved: That no later than January 15, 2009 the Public Utilities Commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding the commission's proceeding pursuant to paragraph 43 of the stipulation approved by the Public Utilities Commission in PUC Docket No. 2007-355. The report must include the commission's findings in that proceeding, including its determination of whether it is in the interests of Maine consumers for Maine's transmission and distribution utilities to provide timely notice of nonrenewal of any membership in Independent System Operator New England. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters, after receiving the report, shall hold a public hearing on the report and, after the hearing, may submit to the First Regular Session of the 124th Legislature legislation relating to the subject matter of the report.'

SUMMARY

This amendment, like the bill, directs the Public Utilities Commission to order Maine's 3 investor-owned transmission and distribution utilities to file with the commission a plan to form an alternative structure to hold, manage, dispatch and expand the transmission assets of the investor-owned transmission and distribution utilities if the commission determines that it is in the interests of Maine consumers for Maine's transmission and distribution utilities to provide timely notice of nonrenewal of any membership in Independent System Operator New England. The amendment adds some clarifying language regarding the elements of the plan. The amendment prohibits the Public Utilities Commission from issuing the order prior to March 31, 2009 that directs the development of the plan. The amendment requires the commission to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2009 its findings and determinations on the subject of nonrenewal of membership in Independent System Operator New England and authorizes the committee, after holding a public hearing on that report, to submit legislation on the subject.