

## **128th MAINE LEGISLATURE**

## FIRST REGULAR SESSION-2017

**Legislative Document** 

No. 756

H.P. 536

House of Representatives, March 2, 2017

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

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

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative HARVELL of Farmington. Cosponsored by Senator KEIM of Oxford and Representatives: COOPER of Yarmouth, DeCHANT of Bath, FARRIN of Norridgewock, HANLEY of Pittston, O'CONNOR of Berwick, WADSWORTH of Hiram, Senators: DION of Cumberland, WOODSOME of York.

1 Be it enacted by the People of the State of Maine as follows: 2 Sec. 1. 35-A MRSA §3204, sub-§11 is enacted to read: 11. Affiliated generation outside service territory permitted. Notwithstanding 3 any other provision of this chapter, an affiliate of an investor-owned transmission and 4 distribution utility may own generation or generation-related assets unless: 5 A. The generation or generation-related assets are interconnected to the transmission 6 or distribution facilities that are owned or operated by the investor-owned 7 transmission and distribution utility; or 8 9 B. The affiliate is a wholly owned or partially owned subsidiary of the investorowned transmission and distribution utility. 10 For purposes of this subsection, "affiliate" means a person who has any ownership 11 interest in, or is a subsidiary of a person who has any ownership interest in, the investor-12 owned transmission and distribution utility. 13 **SUMMARY** 14 15 This bill authorizes an affiliate of an investor-owned transmission and distribution 16 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 17 18 affiliate is a wholly owned or partially owned subsidiary of the utility.