

**STATE OF MAINE**  
127<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES  
AND TECHNOLOGY**

August 2015

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*Joint Standing Committee on Energy, Utilities and Technology*

**LD 89      An Act To Improve Telecommunications in Maine      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHORT	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill would implement a comprehensive strategy to improve telecommunications in Maine.

**LD 103      An Act To Recruit New Businesses to Maine by Providing Energy Efficiency Assistance      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to create a program using a \$5,000,000 fund to help employers lower their energy costs through energy efficiency and weatherization initiatives. This program would be modeled after the Governor's Jobs Initiative Program administered by the Department of Labor's bureau of employment services, which provides financial assistance to employers that are expanding, reorganizing or locating in the State or are training new or current employees to upgrade worker skills.

**LD 132      An Act To Remove the 100-megawatt Limit on Hydropower under the Renewable Resources Laws      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR THIBODEAU	ONTP OTP-AM	

This bill removes the 100-megawatt maximum capacity limit for a hydroelectric generator that meets all state and federal fish passage requirements applicable to generators to qualify as a renewable capacity resource and for a hydroelectric generator to qualify as a renewable resource for the purpose of meeting the State's renewable resource portfolio requirement.

**Committee Amendment "A" (H-270)**

This amendment, which is the minority report, removes the 100-megawatt maximum capacity limit for all generation sources as it pertains to renewable capacity resources and renewable resources, not just hydroelectric generation, as in the bill. The amendment also adds anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse as a renewable capacity resource under the renewable resource portfolio requirements.

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**LD 192      An Act To Clarify the Law Governing the Collection of Unpaid Sanitary District Charges**

**PUBLIC 174**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-121

This bill makes three changes to the section of the Maine Sanitary District Enabling Act governing the administration of liens on real estate to enforce the collection of unpaid sanitary district charges. The bill removes language regarding committing a rate, toll, rent or other charge to the treasurer of a sewer district. The bill requires that a district provide to an owner of record a copy of a sewer lien certificate if the owner did not receive a demand notice. The bill also changes the law so that a mortgage holder of record or an owner of record who did not receive a required copy of the lien certificate has an additional three months to pay in full before the lien automatically forecloses.

**Committee Amendment "A" (S-121)**

This amendment adds a mandate preamble to the bill. It clarifies the date when sewer and municipal water system liens arise and are initially perfected, which is the date the service is provided. It also clarifies and expands upon a requirement in the bill that the treasurer of a sanitary district must mail a copy of a lien certificate to a record owner of real estate that did not receive a demand notice for the payment of an unpaid rate, toll, rent or other charge of the sanitary district.

**Enacted Law Summary**

Public Law 2015, chapter 174 removes language regarding committing a rate, toll, rent or other charge to the treasurer of a sewer district. It clarifies the date when sewer and municipal water system liens arise and are initially perfected, which is the date the service is provided. It also clarifies that the treasurer of a sanitary district must mail a copy of a lien certificate to a record owner of real estate that did not receive a demand notice for the payment of an unpaid rate, toll, rent or other charge of the sanitary district. It also provides that a mortgage holder of record or an owner of record who did not receive a required copy of the lien certificate has an additional three months to pay in full before the lien automatically forecloses.

**LD 200      Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission**

**RESOLVE 9  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-17

This resolve provides for legislative review of portions of Chapter 895: Underground Facility Damage Prevention Requirements, a major substantive rule of the Public Utilities Commission.

**Committee Amendment "A" (H-17)**

This amendment requires the Public Utilities Commission to make an additional change to Chapter 895: Underground Facility Damage Prevention Requirements, a major substantive rule of the commission, before final adoption is authorized. It requires a specific time frame, not to exceed 10 business days, for a non-member operator to notify the commission that the non-member operator's contact person who receives excavation notifications has changed or that the contact information of the contact person has changed for purposes of maintaining the commission's OKTODIG database.

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**Enacted Law Summary**

Resolve 2015, chapter 9 provides for legislative review of portions of Chapter 895: Underground Facility Damage Prevention Requirements, a major substantive rule of the Public Utilities Commission. It also requires the Public Utilities Commission to make an additional change to Chapter 895 before final adoption is authorized. It requires a specific time frame, not to exceed 10 business days, for a non-member operator to notify the commission that the non-member operator's contact person who receives excavation notifications has changed or that the contact information of the contact person has changed for purposes of maintaining the commission's OKTODIG database.

Resolve 2015, chapter 9 was finally passed as an emergency measure effective April 14, 2015.

**LD 216 An Act To Amend the Charter of the Hampden Water District**

**P & S 2  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING DAVITT	OTP-AM	S-9

This bill amends the Hampden Water District charter to change a trustee's term of office from five years to three years and to change what constitutes a vacancy on the board of trustees and how a vacancy may be filled.

**Committee Amendment "A" (S-9)**

This amendment provides that current terms of the trustees of the Hampden Water District are modified to transition from the current five-year terms to the three-year terms established in the bill. The amendment also removes language from the bill and from the district's current charter that defines particular circumstances that create a vacancy in the position of trustee; the amendment authorizes the board of trustees to define in its bylaws particular circumstances under which a vacancy is deemed to be created, such as when a trustee ceases to be a resident of the district.

**Enacted Law Summary**

Private and Special Law 2015, chapter 2 amends the Hampden Water District charter to change a trustee's term of office from five years to three year and provides that current terms of the trustees of the Hampden Water District are modified to transition from five-year terms to three-year terms. It allows trustees to call and hold a special election to fill a vacancy of the board. It removes language from the district's current charter that defines particular circumstances that create a vacancy in the position of trustee and instead authorizes the board of trustees to define in its bylaws particular circumstances under which a vacancy is deemed to be created, such as when a trustee ceases to be a resident of the district.

Private and Special Law 2015, chapter 2 was enacted as an emergency measure effective April 16, 2015.

**LD 237 An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-53

This bill establishes a consumer advisor position in the Office of the Public Advocate to advise citizens participating in proceedings before the Public Utilities Commission. The position is established to address a recommendation in

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the Office of Program Evaluation and Government Accountability's 2013 report on the Public Utilities Commission that the Public Utilities Commission and the Public Advocate explore ways to facilitate consumers' ability to effectively represent themselves in adjudicatory proceedings before the Public Utilities Commission.

**Committee Amendment "A" (H-53)**

This amendment adds an appropriations and allocations section to the bill.

**LD 273      An Act To Encourage and Enhance the Future of Waste-to-energy      CARRIED OVER**  
**Facilities by Establishing a Portfolio Requirement for Electricity from**  
**Waste Energy Resources**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R SAVIELLO		

This bill does the following.

1. It amends the definition of renewable capacity resource to include waste energy resources.
2. It defines "waste energy resource" as a source of electrical generation that is fueled by municipal solid waste in conjunction with recycling and whose total power capacity does not exceed 35 megawatts. In addition, the waste energy resource would have to meet Maine's air emissions standards for resource recovery facilities and licensing standards for solid waste facilities and ensure that residuals from the waste energy resource are disposed of at a landfill meeting Maine's licensing standards.
3. It requires 3.5 percent of a competitive energy providers portfolio to come from waste energy resources.
4. It allows competitive energy providers to satisfy the portfolio requirements for waste energy resources through an alternative compliance payment mechanism, the rate of which is to be established by rule yearly, by the Public Utilities Commission. Payment made by providers is to fund the Efficiency Maine Trust and Renewable Resource Fund.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 295      An Act To Promote Tidal Energy Projects      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS MAKER	ONTP	

This bill expands the definition of "tidal energy demonstration project" as it relates to general permits for tidal energy demonstration projects to cover tidal range projects. Tidal range projects capture the potential energy created by the difference in sea level (or head) across a marine enclosure.

This bill amends Public Law 2009, chapter 615 to allow the Public Utilities Commission to direct the renewal of a long-term contract for up to 25 years. This potential 25 year extension would be in addition to the current allowable term for a long-term contract of 20 years.

It increases the allowed installed capacity for both deep-water offshore wind energy pilot projects and tidal energy demonstration projects from 30 megawatts to 45 megawatts and allows up to 30 megawatts of that power to be

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derived from tidal demonstration projects, which is an increase from five megawatts allowed under the current law.

Lastly, this bill directs the Commission to conduct additional competitive solicitation of proposals for tidal energy demonstration projects as soon as practicable after the bill becomes effective, and to make all reasonable efforts to complete its review of proposals and finalize long-term contracts as soon as practicable after initiating a solicitation.

**LD 326      An Act To Transfer Ownership of the Monhegan Water Company      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN JOHNSON	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to transfer ownership of the Monhegan Water Company.

**LD 339      An Act To Clarify That the Telephone Number 9-1-1 Is the Only      PUBLIC 62  
Number Advertised or Promoted for Emergency Response Services**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION WOODSOME	OTP-AM	H-44

This bill clarifies that the telephone number 9-1-1 is the primary number advertised or promoted for emergency response services. The bill also eliminates certain outdated language regarding the publication of the 9-1-1 number in telephone directories.

**Committee Amendment "A" (H-44)**

This amendment provides that a person is prohibited from advertising or promoting for emergency response services any telephone number other than 9-1-1. The amendment also provides a process for the imposition of a penalty for a person that uses a number other than 9-1-1 to advertise or promote emergency response services.

**Enacted Law Summary**

Public Law 2015, chapter 62 specifies that a person may not advertise or promote for emergency response services any telephone number other than 9-1-1. It also creates a process for the imposition of a penalty for a person that uses a number other than 9-1-1 to advertise or promote emergency response services. Lastly, it eliminates certain outdated language regarding the publication of the 9-1-1 number in telephone directories.

**LD 340      An Act To Extend the Statutory Sunset of the Green Power Offer      PUBLIC 25**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION WOODSOME	OTP-AM	H-22

This bill repeals the statutory sunset of the green power offer.

**Committee Amendment "A" (H-22)**

This amendment extends the statutory sunset of the green power offer to April 1, 2021, instead of repealing the

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statutory sunset as in the bill.

**Enacted Law Summary**

Public Law 2015, chapter 25 extends the statutory sunset of the green power offer to April 1, 2021.

**LD 342      An Act To Reduce the E-9-1-1 Surcharge      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION WOODSOME	ONTP	

This bill reduces the E-9-1-1 surcharge from 45 cents to 40 cents beginning January 1, 2016.

**LD 357      Resolve, To Study Options for a State Demand Response Program      RESOLVE 14**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WHITTEMORE	OTP-AM	H-75

This resolve directs the Efficiency Maine Trust to conduct a study of options for a state demand response program that will produce electricity consumer and electric grid benefits and to report to the Joint Standing Committee on Energy, Utilities and Technology by February 1, 2016.

**Committee Amendment "A" (H-75)**

This amendment adds language to the preamble. The amendment also adds language that encourages participation of Maine electricity consumers in the state demand response program. The amendment includes the Office of the Public Advocate as a consultant to the Efficiency Maine Trust's study. The amendment requires that in the survey with other New England states the trust gauge interest in program rules that do not unduly burden or discourage consumer participation. The amendment requires that the trust solicit the involvement of transmission and distribution utilities. The amendment directs the trust to coordinate with other state agency participants to more effectively and efficiently solicit public comment. Lastly, the amendment authorizes the Joint Standing Committee on Energy, Utilities and Technology to report out a bill to the Second Regular Session of the 127th Legislature.

**Enacted Law Summary**

Resolve 2015, chapter 14 directs the Efficiency Maine Trust to conduct a study of options for a state demand response program that will produce electricity consumer and electric grid benefits and to report to the Joint Standing Committee on Energy, Utilities and Technology by February 1, 2016. It authorizes the Joint Standing Committee on Energy, Utilities and Technology to report out a bill to the Second Regular Session of the 127th Legislature.

**LD 398      An Act To Allow Consumers of Cable Television To Purchase Channels Individually      Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVANGELOS MIRAMANT	ONTP OTP-AM	

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This bill requires that cable system operators offer subscribers the option of purchasing access to cable channels individually.

**Committee Amendment "A" (H-64)**

This amendment, which is the minority report of the committee, retains the provision of the bill that requires a cable system operator to offer subscribers the option of purchasing access to cable channels individually and adds an exception for those channels that are provided in the basic service tier.

**LD 420      An Act To Amend the Law Regarding Filing Fees for Proposed      Veto Sustained**  
**Transmission Line Projects**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION WOODSOME	OTP-AM	H-71

This bill proposes to amend the law in the following two ways.

1. It changes the fee for petitioning the Public Utilities Commission for approval to erect a transmission line capable of operating at 69 kilovolts or more from 4/100 of one percent of the estimated cost to erect, rebuild or relocate the transmission line to 4/100 of one percent or \$100,000, whichever is higher.

2. It amends the law to require a fee of 2/100 of one percent of the estimated cost of a transmission line and its associated infrastructure capable of operating at less than 69 kilovolts and projected to cost in excess of \$20,000,000 to be paid by a person petitioning the Public Utilities Commission to construct such a line and infrastructure.

**Committee Amendment "A" (H-71)**

This amendment incorporates a fiscal note.

**LD 430      An Act To Assist Municipalities To Obtain Payment of Overdue Sewer      ONTP**  
**Bills**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS MAKER	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to assist municipalities in obtaining payment of overdue sewer bills by strengthening the enforcement tools that are available to municipalities to collect these debts.

**LD 446      An Act To Change the Name of the Public Utilities Commission's      PUBLIC 8**  
**Consumer Assistance Division**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME DION	OTP	

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This bill adds "and safety" to references to the Public Utilities Commission's consumer assistance division to reflect that the division now also oversees the State's gas safety regulation and enforcement, and enforcement of the underground facility damage prevention law.

**Enacted Law Summary**

Public law 2015, chapter 8 adds "and safety" to references to the Public Utilities Commission's consumer assistance division to reflect that the division now also oversees the State's gas safety regulation and enforcement, and enforcement of the underground facility damage prevention law.

**LD 465 An Act To Eliminate the Broadband Sustainability Fee**

**PUBLIC 151**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS DAVIS	OTP-AM	H-219

This bill terminates the broadband sustainability fee and requires that all funds in the broadband sustainability fund be used to support municipal governments in developing plans to promote broadband service in unserved or underserved areas.

**Committee Amendment "A" (H-219)**

This amendment requires the ConnectME Authority to use any remaining funds from the broadband sustainability fund to support and promote broadband service in unserved or underserved areas. The bill directs the funds to municipal governments for the development of plans to promote broadband.

**Enacted Law Summary**

Public Law 2015, chapter 151 terminates the broadband sustainability fee and requires the ConnectME Authority to use any remaining funds from the broadband sustainability fund to support and promote broadband service in unserved or underserved areas.

**LD 466 An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WHITTEMORE		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to determine public policy for provider of last resort telecommunications service in the State.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 558 An Act To Amend the Community-based Renewable Energy Project Laws for Purposes of the Mayo Mill Project**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS DAVIS	ONTP	

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This bill would increase the maximum generating capacity for all program participants under the community-based renewable energy pilot program from 50 megawatts to 60 megawatts. This would allow other projects, including the Mayo Mill project in Dover-Foxcroft to participate in the program.

**LD 589 An Act To Increase the Beneficial Reuse of Waste Materials**

**PUBLIC 220**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-164

This bill would allow biomass generators that are fueled by any type of anaerobic digestion to be a renewable capacity resource under the renewable portfolio requirements. This is an expansion of the current law that limits biomass generators to be fueled by anaerobic digestion of agricultural products, by-products or wastes only.

This bill also amends the Community-based Renewable Energy Act in the following ways.

1. It adds the term “net generating capacity” to the definitions section of the Act.
2. It changes the limits on capacity for program participant from installed generating capacity to net generating capacity.
3. It provides that projects authorized and certified by the Public Utilities Commission before December 31, 2015, retain those approvals as long as the project continues to develop and operate.

**Committee Amendment "A" (S-164)**

This amendment replaces the bill. This amendment makes an electricity generator that relies on anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse a renewable capacity resource under the renewable resource portfolio requirements.

**Enacted Law Summary**

Public Law 2015, chapter 220 allows a biomass generator that relies on anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse to be a renewable capacity resource under the renewable resource portfolio requirements.

**LD 593 An Act To Allow the Resale of Electricity by Electric Vehicle Charging Stations**

**PUBLIC 29**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT RYKERSON	OTP	

This bill exempts an electric vehicle charging station provider from being considered a competitive electricity provider. The bill defines what constitutes an electric vehicle charging station provider and allows a provider to install an electrical submeter and to charge a submeter user only for kilowatt hours used.

**Enacted Law Summary**

Public Law 2015, chapter 29 exempts an electric vehicle charging station provider from being considered a competitive electricity provider. It defines what constitutes an electric vehicle charging station provider and allows a provider to install an electrical submeter and to charge a submeter user only for kilowatt hours used.

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**LD 650 An Act To Amend the Brunswick Sewer District Charter**

**P & S 5**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY TUCKER	OTP	

This bill raises the debt limit of the Brunswick Sewer District from \$20,000,000 to \$25,000,000, pending a referendum held by November 7, 2017 approving the increase.

**Enacted Law Summary**

Private and Special Law 2015, chapter 5 raises the debt limit of the Brunswick Sewer District from \$20,000,000 to \$25,000,000, pending a referendum held by November 7, 2017 approving the increase.

**LD 660 An Act To Protect Homeowners from Damage in the Event of a Failure of Public Water Systems**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT	OTP-AM	H-189

This bill allows a consumer-owned water utility to establish a homeowner protection fund to reimburse a homeowner in the event of a water system failure that causes damage to the homeowner's property. The Public Utilities Commission is required to adopt rules governing the creation and use of such a fund.

**Committee Amendment "A" (H-189)**

This amendment replaces the bill, which establishes a homeowner protection fund, and enables contingency allowance funds to be used to reimburse a consumer in the event of a water system failure that causes damage to the consumer's property. This amendment clarifies that the use of contingency funds by a consumer-owned water utility does not waive a utility's immunities or limitations on damages that exist under the Maine Tort Claims Act, any other statute or the common law. This amendment also increases the annual contingency allowance from ten percent to 12 percent for a utility with annual revenues up to \$85,000, and from five percent to seven percent for a utility with total annual revenues in excess of \$85,000.

**LD 743 An Act To Protect the Environment and Assist Municipalities with the Recycling, Reuse and Processing of Solid Waste**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to enact measures to support the State's solid waste management hierarchy and provide for the effective and efficient management of solid waste throughout the State by encouraging the conversion of municipal solid waste to electrical energy as a means to minimize the amount of municipal solid waste that is disposed of and stored in landfills.

The bill encourages materials management and conversion of municipal solid waste into electrical energy through the establishment of a net electrical billing process that will have the effect of reducing energy costs to

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municipalities who are the primary disposers of the waste. The net electrical billing process will also serve to encourage the reduction, recycling and effective management of municipal solid waste; preserve many existing well-paying jobs; enhance the diversification of the State's energy resource mix; stabilize the State's energy supply infrastructure; and result in a net environmental benefit to the State and its citizens.

1. The bill would establish a waste management net electrical billing program in accordance with the following provisions.

A. An eligible participating waste-to-energy facility in the State would be authorized to develop and offer a contract for the conversion of municipal solid waste to electricity that provides net electrical billing credits based upon the number of metered kilowatt-hours produced by the incineration of the municipal solid waste that is originated with each eligible governmental entity customer that enters into a contract. No contract would be authorized unless it is certified by the Department of Environmental Protection.

B. There would be two types of metering in the program:

(1) Generation meters registering the flow of electricity produced through the incineration of municipal solid waste at each eligible participating waste-to-energy facility; and

(2) Consumption meters registering the consumption of electricity by the eligible governmental entity customer.

C. Each eligible participating waste-to-energy facility would annually calculate the annual electrical crediting ratio by taking the total metered electrical power generated and dividing it by the total number of tons of municipal solid waste processed during the reporting year. The annual electrical crediting calculation would be certified and provided by each eligible participating waste-to-energy facility to the Department of Environmental Protection and the Public Utilities Commission on or before a date determined by the Department of Environmental Protection.

D. Based on net electrical crediting calculations, the Department of Environmental Protection, in cooperation with the Public Utilities Commission, would set the annual ratio at which net electrical billing credits will be determined by each eligible participating waste-to-energy facility during the next program administrative year.

E. Each eligible participating waste-to-energy facility would provide monthly data on the number of electrical billing credits each participating eligible governmental entity customer has earned during the preceding 30-day period to the electrical utility that provides service to each participating eligible governmental entity customer. Copies of the report would be provided monthly to the participating eligible governmental entity customer. Contracts supporting the net electrical billing process would be developed between eligible participating waste-to-energy facilities and utilities, as well as the utilities and the eligible governmental entity customers participating in the program. A contract would not be used unless it is certified by the Department of Environmental Protection and the Public Utilities Commission.

F. Each electrical utility would apply the reported net electrical billing credits for each participating eligible governmental entity customer on its next electrical service billing. Any credits not used on a given monthly electrical billing for a participating eligible governmental entity customer would be carried over and applied to a future monthly electrical service bill for that customer.

G. The program would be administered by the Department of Environmental Protection in consultation with the Public Utilities Commission.

H. The Board of Environmental Protection would adopt routine technical rules necessary for the operation and administration of the program.

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2. The bill would establish definitions necessary to implement the waste management net electrical billing program, including:

- A. Defining "eligible governmental entity customer" as a governmental entity organized and existing pursuant to the laws of the State that provides an annual written certification that it operates an established program of solid waste reduction, recycling and composting relative to the solid waste it collects before it sends that solid waste to an eligible participating waste-to-energy facility for processing and conversion into electricity;
- B. Defining "eligible participating waste-to-energy facility" as a facility licensed pursuant to the provisions of the Maine Revised Statutes, Title 38 that converts municipal solid waste to electricity through an incineration process that is licensed by the Department of Environmental Protection, reduces the volume of the municipal solid waste it processes by at least 80 percent and the weight by at least 65 percent and is not a party to a power purchase agreement;
- C. Defining "municipal solid waste" as solid waste that has been collected by a participating eligible governmental entity customer other than waste that the customer has diverted through reduction, recycling and composting before it is sent to an eligible participating waste-to-energy facility for processing and conversion into electricity; and
- D. Defining "net electrical billing credits" as the monetary credits that are applied by an electrical utility to the monthly bill of an eligible governmental entity customer that has earned those credits by sending municipal solid waste that it has collected to an eligible participating waste-to-energy facility for conversion into electricity.

**LD 796      An Act To Allow a Municipality To Choose Its Power Provider**

**ONTP**

Sponsor(s)

PARRY  
COLLINS

Committee Report

ONTP

Amendments Adopted

This bill provides a process to allow a municipality to choose a single transmission and distribution utility via a referendum when that municipality is served by more than one utility. The decision to hold a referendum must be made by a majority vote of the municipal officials. A referendum to choose a single utility must occur during a gubernatorial or presidential election in November and must be called, advertised and conducted according to the law relating to municipal elections.

The bill also requires that the Public Utilities Commission approve a petition by the municipal officials to have only one utility furnishing service in the municipality. The Public Utilities Commission must approve a petition if it finds the chosen utility is willing to furnish service to the entire municipality, the chosen utility has the financial ability to meet its obligations under the Maine Revised Statutes, Title 35-A and the chosen utility is willing and able to pay a fair and reasonable price, as determined by the commission, for the assets of the second utility needed to furnish service to the entire municipality. Upon approval, the Public Utilities Commission is directed to order the second utility to sell its assets used to serve the municipality to the chosen transmission and distribution utility. This bill also allows the Public Utilities Commission to adopt routine technical rules to implement these provisions.

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**LD 797      An Act To Ensure Reliable Power Supply to Homes and Businesses**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD HILL	ONTP	

This bill amends the current law to require specifically that a transmission and distribution utility, or other entity authorized to construct lines trim, cut or remove trees located within the public right-of-way, and trim or cut portions of trees encroaching upon the public right-of-way on either side of a line to a minimum of 20 feet from the line or to the edge of the right-of-way, whichever is less in order to ensure safe and reliable service. This bill directs the transmission and distribution utility or other entity authorized to construct lines to perform necessary cutting on a five-year cycle.

**LD 825      An Act To Allow Consumer-owned Transmission and Distribution Utilities To Apply for Efficiency Maine Grants**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	ONTP	

This bill allows a consumer-owned transmission and distribution utility to apply for funding from the Efficiency Maine Trust to support the development of a distributed generation facility or combined heat and power facility as long as the facility will reduce electricity consumption or reduce greenhouse gas emissions and lower energy costs; the facility will be owned and operated by an entity other than the consumer-owned transmission and distribution utility; the facility will meet certain electrical efficiency standards; and the owner of the facility provides performance guarantees to insulate ratepayers from any risks associated with the construction of the facility.

**LD 826      An Act To Promote Maine's Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investments in High-speed Internet**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER EDGECOMB P		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to increase funding to the ConnectME Authority from \$1,000,000 to \$5,000,000 to expand universal broadband and high-speed Internet into rural areas identified as the six percent of the State unserved by high-speed Internet. This bill proposes to make expanding high-speed Internet into unserved rural areas a key emphasis in the economic development of and to multiply the return to the State by directing the ConnectME Authority to use the increased funding to increase the rate of strategic broadband investment and leverage additional federal funding to provide middle-mile and last-mile infrastructure in the unserved areas and to correct broadband deficiencies identified in the ConnectME Authority's baseline update of 2013.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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**LD 827      An Act To Amend the Fluoridation Laws To Provide for Customer Choice      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SEAVEY COLLINS	ONTP	

This bill provides an additional mechanism to vote on fluoridation of a water supply. The bill would allow customers of a public water system to petition to have the issue of fluoridation decided upon, and in that instance only the customers of the public water system would vote on the issue. An election under this mechanism would be conducted by the public water system according to procedures adopted by the public water system.

**LD 879      An Act To Ensure High-quality Telecommunications Services for Maine Consumers and Businesses      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE		

This bill makes several changes in the regulation of telecommunications utilities.

1. It permits the Public Utilities Commission to eliminate alternative forms of regulation if the commission determines that service deficiencies are occurring.
2. It requires the Public Utilities Commission to adopt rules that provide for automatic penalties if service quality standards are not met.
3. It repeals a provision regarding the reporting of unscheduled outages to the Public Utilities Commission.
4. It reduces the number of exemptions a telephone utility has from customer service and regulatory requirements.
5. It removes the exemption from regulation for telecommunications services provided using interconnected voice over Internet protocol technology.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 880      An Act To Permit Rate-adjustment Mechanisms for Water Utilities      PUBLIC 115**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	OTP-AM	H-103

This bill provides the Public Utilities Commission with the authority to create a mechanism for a water utility to request an adjustment to rates charged to ratepayers to reconcile actual revenues or costs with projected revenues or costs, either on a total or per customer basis. This bill also requires the Public Utilities Commission, as part of its annual report, to list all rate adjustments requested and all those that have been granted.

**Committee Amendment "A" (H-103)**

This amendment changes the method proposed in the bill by which the Public Utilities Commission may authorize a

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reasonable rate-adjustment mechanism to allow the commission of its own volition to establish or authorize a reasonable rate-adjustment mechanism to decouple water utility revenues from water utility sales through revenue reconciliation when there is a change in sales due to a change in the number of customers or a change in the volume of consumption.

**Enacted Law Summary**

Public Law 2015, chapter 115 allows the Public Utilities Commission to establish or authorize a reasonable rate-adjustment mechanism to decouple water utility revenues from water utility sales through revenue reconciliation when there is a change in sales due to a change in the number of customers or a change in the volume of consumption. It also requires the Public Utilities Commission, as part of its annual report, to list all rate adjustments requested and all those that have been granted.

**LD 881      An Act To Allow the Public Utilities Commission To Contract for Liquefied Natural Gas Storage and Distribution      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS		

This bill allows the Public Utilities Commission to contract for the storage and distribution of liquefied natural gas to provide a source of natural gas during peak winter months. This bill defines a "liquefied natural gas contract" and provides that, prior to entering into a contract, the Public Utilities Commission must ensure that a liquefied natural gas facility will be located in a rural, low-income community within the State, a study has been conducted by an independent third party showing the construction of the facility will result in a minimum of 200 direct and indirect jobs, exclusive of jobs directly linked to the actual construction of the facility and, if feasible, the facility will be constructed by a qualified construction firm based in the State.

This bill also requires that before the Public Utilities Commission executes or directs the execution of a liquefied natural gas contract, the Governor must approve in writing the contract.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 882      An Act To Ensure That Telephone Utility Reorganizations Advance the Economic Development and Information Access Goals of the State      Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	ONTP OTP-AM	

This bill requires the Public Utilities Commission to consider additional requirements before approving a reorganization involving a telephone utility with gross annual state revenues greater than \$50,000,000. The commission may approve the reorganization only when it is satisfied that the proposal will advance the economic development and information access goals of the State; that the reorganization does not result in changes to the location and the accessibility of the telephone utility's management, and to employment levels in a manner that would adversely affect safety, reliability or quality of service; and that the reorganization provides an affirmative benefit to the public. The bill also removes the requirement that the Public Utilities Commission rule upon a request for the reorganization of a large telephone utility within 180 days.

**Committee Amendment "A" (H-285)**

This amendment, which is the minority report, removes the requirement that economic development goals must be

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advanced in order for the Public Utilities Commission to approve a reorganization involving a telephone utility with gross annual state revenues greater than \$50,000,000. This amendment also requires a broader finding by the commission that the reorganization does not result in changes that would adversely affect safety, reliability or quality of service, unlike in the bill, which requires a finding that the reorganization would not result in changes that would adversely affect safety, reliability or quality of service as it pertains to the location and the accessibility of the telephone utility's management and operations or to the proportion and number of the telephone utility's employees who reside in the State.

**LD 883      An Act To Create the Cellular Telephone Labeling Act**

**Accepted Majority  
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARLOW	ONTP OTP-AM	

This bill requires cellular telephone manufacturers that include safety notifications in their owner's manuals to ensure that cellular telephone packaging includes those safety notifications or a label indicating where the safety notifications may be found in the owner's manual. It prohibits retailers from selling at retail in this State cellular telephones of manufacturers that include safety notifications in their owner's manuals but do not include on the product packaging the safety notifications or a label indicating where the safety notifications may be found. It requires manufacturers of cellular telephones to provide the safety notifications to retailers at no cost to the retailers. It also prohibits retailers from selling at retail in this State a cellular telephone that does not bear a label warning that the device emits radiofrequency electromagnetic fields. It also requires retailers to provide an information bulletin to the purchaser of a cellular telephone informing the purchaser of potential health risks associated with the use of cellular telephones. The bill provides that a violation of these provisions is a violation of the Maine Unfair Trade Practices Act.

**Committee Amendment "A" (H-343)**

This amendment is the minority report of the committee. This amendment requires disclosure labels for cellular telephones instead of warning labels. The amendment removes requirements for retailers from the bill regarding warning labels and information bulletins for cellular telephones and no longer prohibits a retailer from selling cellular telephones in the State that do not comply with the requirements of the bill. The amendment changes the information required on product packaging and creates a new disclosure requirement for those cellular telephone manufacturers that do not include safety notifications within their owner's manual.

**LD 912      An Act To Allow the Establishment of Regional Municipal Utility  
Districts To Support Broadband Communications**

**PUBLIC 222**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY COLLINS	OTP-AM	H-267

This bill amends the laws governing interlocal agreements to expressly allow an agreement that establishes a regional municipal utility district to provide or, through public-private partnerships, to support or promote the provision of telecommunications services; broadband services; Internet services; or energy generation, transmission or distribution services and to issue revenue bonds in support of any of these activities. A regional municipal utility district that seeks to provide services that are regulated by the Public Utilities Commission would be subject to the commission's regulations.

**Committee Amendment "A" (H-267)**

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This amendment removes from the bill telecommunications services and energy generation, transmission or distribution services from the services allowed to be provided through a regional municipal utility district.

**Enacted Law Summary**

Public Law 2015, chapter 222 amends the laws governing interlocal agreements to expressly allow an agreement that establishes a regional municipal utility district to provide or, through public-private partnerships, to support or promote the provision of broadband services and Internet services and to issue revenue bonds in support of any of these activities.

**LD 945      An Act To Manage Electricity Rates To Lower Consumer Electricity      ONTP**  
**Bills and Increase Utilities' Cash Flow through 3rd-party Management**  
**of Smart Meters**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R WOODSOME	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to manage electricity rates to lower consumer electricity bills and increase utilities' cash flow through third-party management of smart meters.

**LD 946      Resolve, To Establish a Moratorium on the Assessment of Large Volume      RESOLVE 39**  
**Consumers by Gas Utilities and To Evaluate Cost-effective Natural Gas**  
**Conservation and Efficiency Improvements for Large Volume**  
**Consumers**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L MASON	OTP-AM	H-369

This bill changes laws amended by Public Law 2013, chapter 369, also known as the Omnibus Energy Act. It provides that only consumers whose rates reflect an assessment that is charged to a gas utility and deposited in the natural gas conservation fund are eligible to receive funding from the fund. It exempts large volume commercial or industrial customers from paying an assessment to be deposited in the fund except through a voluntary arrangement. It provides that the Public Utilities Commission may not approve a long-term contract to supply installed capacity and associated renewable energy and renewable energy credits from one or more deep-water offshore wind energy pilot projects or tidal energy demonstration projects that assesses any amount from transmission voltage level customers and subtransmission voltage level customers.

**Committee Amendment "A" (H-369)**

This amendment replaces the bill with a resolve. The amendment establishes a moratorium on assessments for large volume consumers by gas utilities until 90 days after the adjournment of the Second Regular Session of the 127th Legislature. This amendment specifies that the Public Utilities Commission may not allow a natural gas utility to collect an assessment under the Maine Revised Statutes, Title 35-A, section 10111 through its rates from large volume consumers and may not make a final decision regarding the appropriateness of or size of such collections from large volume consumers. The amendment specifies that the Public Utilities Commission may not order or authorize a natural gas utility to exempt from collection of an assessment through its rates any consumers other than large volume consumers. The amendment specifies that, during this same time period, large volume consumers are not eligible to participate in any Efficiency Maine Trust natural gas conservation programs. This amendment also

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ensures that, during this period, notwithstanding Title 35-A, section 10111, any assessment by the commission must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible to receive funds from the natural gas conservation fund. This amendment defines a large volume consumer as a consumer using 1,000,000 centum cubic feet or more of natural gas per year.

This amendment also directs the Efficiency Maine Trust to meet with large volume consumers of gas utilities and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. This amendment directs the trust to report the results of these meetings, along with recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2015. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature.

**Enacted Law Summary**

Resolve 2015, chapter 39 establishes a moratorium on assessments for large volume consumers by gas utilities until 90 days after the adjournment of the Second Regular Session of the 127th Legislature. It specifies that the Public Utilities Commission may not allow a natural gas utility to collect an assessment under the Maine Revised Statutes, Title 35-A, section 10111 through its rates from large volume consumers and may not make a final decision regarding the appropriateness of or size of such collections from large volume consumers. The law specifies that the Public Utilities Commission may not order or authorize a natural gas utility to exempt from collection of an assessment through its rates any consumers other than large volume consumers. It further specifies that, during this same time period, large volume consumers are not eligible to participate in any Efficiency Maine Trust natural gas conservation programs. It ensures that, during this period, notwithstanding Title 35-A, section 10111, any assessment by the commission must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible to receive funds from the natural gas conservation fund. The law defines a large volume consumer as a consumer using 1,000,000 centum cubic feet or more of natural gas per year.

The law directs the Efficiency Maine Trust to meet with large volume consumers of gas utilities and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. Lastly, the law directs the trust to report the results of these meetings, along with recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2015. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature.

**LD 992      An Act To Regulate Standards of Service for Mobile  
Telecommunications Services and Broadband Services**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA JOHNSON	ONTP	

This bill defines the term "broadband service provider". This bill provides authority for the Public Utilities Commission to regulate service standards for providers of mobile telecommunications services and broadband services and to investigate consumer complaints. This bill also allows the Public Utilities Commission, through an adjudicatory proceeding, to assess an administrative penalty on a mobile telecommunications service provider or broadband service provider for violations of standards adopted by the Public Utilities Commission. The bill allows the Public Utilities Commission to establish a reasonable assessment on providers to implement these provisions. This bill creates a nonlapsing fund for assessments. This bill provides the authority for the Public Utilities Commission to enact major substantive rules to implement these provisions. Lastly, this bill requires that the Public Utilities Commission report to the Joint Standing Committee on Energy, Utilities and Technology on the progress made in the implementation of these provisions and include in the report legislation necessary to accomplish the purposes of this bill. The Joint Standing Committee on Energy, Utilities and Technology may report out a bill to the

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Second Regular Session of the 127th Legislature.

**LD 1063 An Act To Promote Community Broadband Planning and Strengthen Economic Opportunity throughout Maine**

**PUBLIC 284**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON MASON	OTP-AM	H-336

This bill amends the Advanced Technology Infrastructure Act. It amends the definitions of "communications service" and "communications service provider." It makes changes to the State's goals and policies in the Act. It amends the membership of the ConnectME Authority and amends the duties of the authority. It requires the authority to provide funds for broadband planning grants. It abolishes the ConnectME Advisory Council. It requires the authority to establish a triennial strategic plan for broadband service and to report to the Legislature on progress toward meeting the plan's goals and objectives.

**Committee Amendment "A" (H-336)**

This amendment does the following.

1. It removes the expansion of the contribution base of entities paying into the ConnectME Fund by removing changes to the definitions of "communications service" and "communications service provider" and by retaining a provision of current law, proposed to be eliminated in the bill, that allows certain wireless voice or data retail service providers to agree to be assessed as communications service providers.
2. It removes the requirement that broadband investments funded by the ConnectME Authority must benefit multiple communities and specifies that infrastructure investments may be capable of being used either by a single provider or by multiple providers.
3. It directs the ConnectME Authority to give preference when supporting broadband infrastructure to investments that provide the greatest relative improvement to existing broadband service in an unserved or underserved area.
4. It removes the eligibility of private or public organizations for community broadband planning grants and makes nonprofit local or regional community organizations that are providing local or regional economic development programs eligible for those grants.
5. It requires that plans funded through grants include one or more potential network designs, cost estimates, operating models and potential business models based on input from broadband providers and any other parties that submit a design solution in the course of plan development.
6. It requires the ConnectME Authority to ensure that grants are equitably distributed throughout the unserved and underserved areas of the State and that the grants encourage collaboration between multiple communities, but removes the requirement in the bill that the authority adopt rules for these purposes.
7. It specifies that matching funds for broadband planning grants may not consist of in-kind contributions from the municipality or a party with a financial interest in a broadband infrastructure project that would be constructed pursuant to a planning grant.
8. It extends the date for the ConnectME Authority's triennial plan submission from December 31, 2015 to February 15, 2016.

**Enacted Law Summary**

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Public Law 2015, chapter 284 does the following:

1. Abolishes the ConnectME Advisory Council;
2. Repeals the existing State broadband policy and replaces it with amended goals and policies;
3. Amends the membership of the ConnectME authority to include two additional entities - the Commissioner of the Department of Economic and Community Development and an individual with significant knowledge of telemedicine appointed by the Governor;
4. Removes the ability of the ConnectME Authority to request staff resources from the Public Utilities Commission or other state agencies with expertise in communications services or advanced communications technology infrastructure;
5. Redefines the duties of the ConnectME Authority;
6. Amends the reporting requirement to the Legislature by requiring that a detailed description of the progress toward the goals and objectives established in the triennial strategic plan be included in the report;
7. Promotes community broadband planning, which directs the ConnectME Authority to fund broadband planning grants to municipalities, groups of municipalities or nonprofit local or regional community organizations to develop plans to expand the availability of broadband in unserved and underserved areas; and
8. Requires the ConnectME Authority to develop a triennial strategic plan by February 15, 2016 for broadband that includes quantifiable measures of performance and that allows for public input.

**LD 1073      An Act To Lower Energy Costs and Increase Access to Solar Energy for Agricultural Businesses      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	ONTP OTP-AM	

This bill establishes the Solar Energy Agricultural Rebate Fund to be used by the Efficiency Maine Trust to provide rebates until December 31, 2017 for solar photovoltaic and solar thermal technologies to agricultural businesses. It provides that an agricultural business that is a customer of an investor-owned transmission and distribution utility must be compensated for accumulated unused kilowatt-hour credits every 12 months. It also authorizes customers of transmission and distribution utilities to elect to be billed using net energy billing.

**Committee Amendment "A" (S-253)**

The amendment adds an appropriations and allocations section. This amendment was adopted in the Senate and the House before the bill was committed to the committee again.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1075      An Act To Amend the Charter of the Canton Water District      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK PETERSON		

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This bill amends the Canton Water District charter. It adds language allowing the district to contract out work, changes provisions governing the scheduling of the annual meeting of the board of trustees in order to increase flexibility and changes the provisions regarding compensation of trustees to have the trustees recommend and the municipal officers of the Town of Canton approve compensation amounts. It removes language allowing the trustees to include their annual report in the town report. It changes a quorum at annual and special meetings of the board of trustees from five percent to a majority of those present and narrows voting at those meetings from residents of the district to customers residing in the district. It also establishes readiness-to-serve charges, allows the district to invest in mutual funds and establishes liens for unpaid rates.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1107      An Act To Improve the Laws Governing the Purchasing of Power      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	ONTP	

This bill requires a competitive electricity provider to offer a 40 percent discount for electricity consumed during off-peak periods.

This bill requires the Public Utilities Commission to establish by rule, a discount rate for residential and small business customers who purchase electricity from resources that qualify as new renewable capacity resources. The discount rate must be at a level that encourages the purchase of new renewable capacity resources.

This bill also requires the Public Utilities Commission to establish a rate design, by rule, for standard-offer services that provides that off-peak pricing is 40 percent lower than pricing for on-peak periods.

Lastly, the bill creates a “Cost of Electricity Study Commission.” The study commission would be comprised of 13 legislators and would be tasked with studying the following:

1. The sources and costs of electricity in the State;
2. How costs in the State compare to those in other states;
3. How the State can lower electricity prices;
4. The level of profits earned by investor-owned transmission and distribution utilities over the last 10 years; and
5. How those profits were used.

This study commission is required to submit a report that includes its findings and recommendations by December 2, 2015.

**LD 1116      An Act To Authorize the Development of Thorium Energy      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY O'CONNOR	ONTP	

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This bill authorizes the Public Utilities Commission to issue permits for the operation of a thorium refinery or a liquid fluoride thorium reactor in this State and provides that energy produced by a liquid thorium reactor qualifies as a renewable resource and as a renewable capacity resource under the renewable portfolio requirements.

**LD 1124      An Act To Manage Risks Associated with the Installation of Natural Gas Pipelines      PUBLIC 216**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-406

This bill enacts construction requirements in statute for the construction of natural gas pipelines and establishes these requirements for gas utilities. The requirements govern clearance between underground facilities, crossings of other facilities and consultation with owners of proximate underground facilities. The bill also requires that the application process include providing evidence of notice to owners of facilities in the applicable public way.

**Committee Amendment "A" (H-406)**

This amendment retains sections of the bill that address the application process and objection process relating to the regulation of facilities in the public way. This amendment defines "underground location standards" and specifies that a local licensing authority may adopt underground location standards for utility facilities within its jurisdiction, except along state or state-aid highways within compact areas of urban compact municipalities, in which case the location standards adopted by the Department of Transportation serve as the minimum standard. The amendment specifies that if a local licensing authority has not adopted underground location standards for utility facilities within its jurisdiction, the standards adopted by the Department of Transportation govern. This amendment allows a local licensing authority that has not adopted standards to grant an exception to the standards adopted by the Department of Transportation if it finds that applying the standards would present an exceptional hardship or unreasonable cost under the circumstances and alternative standards will adequately ensure public safety; all affected parties, as determined by the local licensing authority, have agreed to alternative underground location standards that will adequately ensure public safety; a unique situation exists that requires an adjustment of the standards in a manner that ensures public safety; or the underground location standards exceed the limits of the available space within the right-of-way. Lastly, this amendment requires coordination among underground utility facility owners.

**Enacted Law Summary**

Public Law 2015, chapter 216 requires that the application process for a location permit include providing evidence of notice to owners of facilities in the applicable public way and allows an owner of a facility in the public way to object to an application for a location permit.

The law defines "underground location standards" and specifies that a local licensing authority may adopt underground location standards for utility facilities within its jurisdiction, except along state or state-aid highways within compact areas of urban compact municipalities, in which case the location standards adopted by the Department of Transportation serve as the minimum standard. The law specifies that if a local licensing authority has not adopted underground location standards for utility facilities within its jurisdiction, the standards adopted by the Department of Transportation govern. The law allows a local licensing authority that has not adopted standards to grant an exception to the standards adopted by the Department of Transportation if it finds that applying the standards would present an exceptional hardship or unreasonable cost under the circumstances and alternative standards will adequately ensure public safety; all affected parties, as determined by the local licensing authority, have agreed to alternative underground location standards that will adequately ensure public safety; a unique situation exists that requires an adjustment of the standards in a manner that ensures public safety; or the underground location standards exceed the limits of the available space within the right-of-way. Lastly, the law requires coordination among underground utility facility owners to promote ease of access to and maintenance of

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those facilities, while ensuring public safety.

**LD 1167 An Act To Modernize Maine's Broadband Standards**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON	ONTP	

This bill requires the ConnectME Authority to review its definition of broadband service on an annual basis and consider how broadband service is defined by the Federal Communications Commission. This bill also requires the ConnectME Authority to consider other indicators of nationally competitive broadband performance expectations when defining broadband service. This bill requires that if the ConnectME Authority amends its definition of broadband service, it must strengthen the definition to ensure it contributes to the State's nationally competitive economic development status. This bill also requires that the ConnectME Authority enhance broadband service in Maine to achieve actual speeds for downloads and uploads that are at least equal to or greater than the average of all the New England states' actual speeds.

**LD 1185 An Act To Establish the Municipal Gigabit Broadband Network Access Fund**

**PUBLIC 323**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS	OTP-AM	H-288
WOODSOME	OTP-AM	S-257 WOODSOME

This bill establishes the Municipal Gigabit Broadband Network Access Fund within the Department of Economic and Community Development to increase access across the State to ultra high-speed broadband infrastructure that will enhance the State's competitiveness in national and international economies. The bill establishes funding for the department to award planning and implementation grants to communities and municipalities in order to support public-private partnerships that will establish a municipal gigabit fiber-optic broadband network in their regions.

**Committee Amendment "A" (H-288)**

This amendment is the majority report of the committee. This amendment does the following.

1. It changes the entity in charge of administering the Municipal Gigabit Broadband Network Access Fund from the Department of Economic and Community Development to the ConnectME Authority.
2. It reduces the minimum number of implementation grants to be awarded from 50 to 25.
3. It removes the provision requiring a minimum number of implementation grants to be awarded to economically disadvantaged communities.
4. It reduces the maximum number of planning grants to be awarded from 50 to 25.
5. It includes submission requirements for those awarded planning grants.
6. It removes those sections of the bill that require the ConnectME Authority to review laws, rules and regulations related to high-speed broadband access and that direct the Public Utilities Commission to eliminate barriers regarding ultra high-speed broadband infrastructure.
7. It reduces the overall amount to be allocated from the General Fund from approximately \$12,000,000 to

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approximately \$6,000,000 and makes corresponding reductions to initiatives to achieve the reduction in the overall amount to be allocated.

**Committee Amendment "B" (H-289)**

This amendment is the minority report of the committee. This amendment replaces the bill with a resolve that directs the Department of Economic and Community Development and the ConnectME Authority to work with broadband providers, communities and regional economic development groups throughout the State to determine where existing broadband access provides economic benefits and where additional broadband access may increase economic opportunities within a community or region. This amendment directs the department and authority to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2016. The amendment provides that the committee may report out a bill based on the report.

**Senate Amendment "A" To Committee Amendment "A" (S-257)**

This amendment:

1. Removes General Fund allocations that provide funds to support the Municipal Gigabit Broadband Network Access Fund;
2. Provides that the ConnectME Authority may receive and deposit in the Municipal Gigabit Broadband Network Access Fund federal funds, the proceeds from bonds and funds from any other public or private source;
3. Removes the minimum number of implementation and planning grants the ConnectME Authority is required to award;
4. Removes the requirement that the ConnectME Authority establish a timeline and standards for grants under the Municipal Gigabit Broadband Network Access Fund and perform an evaluation of the Municipal Gigabit Broadband Network Access Fund; and
5. Makes other changes to reflect the removal of the General Fund allocation to fund the Municipal Gigabit Broadband Network Access Fund.

This amendment also adds an appropriations and allocations section.

**Enacted Law Summary**

Public Law 2015, chapter 323 establishes the Municipal Gigabit Broadband Network Access Fund within the ConnectME Authority to increase access across the State to ultra high-speed broadband infrastructure that will enhance the State's competitiveness in national and international economies. The law provides that to extent funds are available they must be used to provide planning and implementation grants to communities and municipalities in order to support public-private partnerships that will establish a municipal gigabit fiber-optic broadband network in their regions.

**LD 1215    An Act To Provide Lower Energy Costs to Maine Businesses and Residences by Carrying Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust**

**PUBLIC 255**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON KATZ	OTP-AM ONTP	H-113

This bill corrects an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy

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Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.

### **Committee Amendment "A" (H-113)**

This amendment incorporates a fiscal note.

### **Enacted Law Summary**

Public Law 2015, chapter 255 adds the word "and" between "total retail electricity" and "transmission and distribution sales" in Title, 35-A MRSA, section 10110, subsection 4-A. This law was enacted to correct an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.

### **LD 1221     An Act To Enhance Energy Cost Reduction and Facilitate Heating                  Alternatives in furtherance of the Omnibus Energy Act**

**Died Between  
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE	OTP-AM OTP-AM	

This bill does the following.

1. It provides that the Director of the Efficiency Maine Trust is to be appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate. However, the position would still serve at the pleasure of the Efficiency Maine Trust Board.
2. It removes the requirement that the Director of the Efficiency Maine Trust "have demonstrated experience in the planning, design or delivery of energy efficiency programs or the management of organizations that plan, design or deliver those programs."
3. It requires the Director of the Efficiency Maine Trust to "apprise the Commissioner of the Maine Energy Office regarding the execution of the director's responsibilities."
4. It corrects an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.
5. It renames the Governor's Energy Office the Maine Energy Office and places the office under the control and supervision of a commissioner rather than a director. The commissioner would be appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate.
6. It establishes a deputy commissioner position within the Maine Energy Office, also appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate.
7. It provides that \$300,000 from the Efficiency Maine Trust must be transferred annually to support the Maine Energy Office.

### **Committee Amendment "A" (H-386)**

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This amendment is the majority report of the committee. This amendment removes section 2 of the bill, which changes the process for the appointment of the Director of the Efficiency Maine Trust. This amendment also removes section 4 of the bill, which clarifies that the procurement cap is to apply to the total retail electricity supply and transmission and distribution sales in the State. Lastly, it specifies that Efficiency Maine Trust funds provided to fund the Maine Energy Office may only be used for office activities that support or are reasonably related to programs or activities of the Efficiency Maine Trust.

This amendment adds an appropriations and allocations section.

**Committee Amendment "B" (H-387)**

This amendment is the minority report of the committee. This amendment specifies that the Director of the Efficiency Maine Trust is to be appointed to a six-year term. This amendment removes the requirement that the director is to serve at the pleasure of the board. This amendment also maintains existing statutory language concerning the experience a director must possess and adds "or relevant energy-related experience" to the required experience for the position.

This amendment also strikes section 4 of the bill, which clarifies that the procurement cap is to apply to the total retail electricity supply and transmission and distribution sales in the State.

This amendment also adds an appropriations and allocations section.

**LD 1223 An Act To Revise the Charter of the Kennebunk Sewer District**

**P & S 9  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-341

This bill revises the Kennebunk Sewer District charter to conform to the Maine Revised Statutes, Title 38, chapter 10 and make minor changes and updates.

**Committee Amendment "A" (H-341)**

This amendment makes the following changes to the bill.

1. It clarifies that the costs of locating and constructing sewer facilities outside the boundaries of the Kennebunk Sewer District for Maine Regional School Unit 21 or the Town of Kennebunk are not the responsibility of the district and removes language stating that those costs are borne entirely by the unit or the town.
2. It specifies that notice of unpaid rates prior to commencing a foreclosure proceeding may be delivered by giving the notice to the owner of the real estate served or by sending the notice by certified mail, return receipt requested, to the owner's last known address or, only upon exhausting these two options, by leaving the notice at the owner's last and usual place of abode.
3. It changes the number of days after which a debt may be incurred following a special district meeting from seven to 28.
4. It removes "but not fewer than 50" in reference to the number of signatures needed on a petition to call a special election regarding the district's incurring debt.
5. It changes the date by which a referendum must be called regarding the changes to the district's charter from January 1, 2016 to January 1, 2018.

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**Enacted Law Summary**

Private and Special Law 2015, chapter 9 revises the Kennebunk Sewer District charter to conform to the Maine Revised Statutes, Title 38, chapter 10 and make minor changes and updates. It also clarifies that the costs of locating and constructing sewer facilities outside the boundaries of the Kennebunk Sewer District for Maine Regional School Unit 21 or the Town of Kennebunk are not the responsibility of the district and removes language from the charter stating that those costs are borne entirely by the unit or the town. Lastly, the law also specifies that notice of unpaid rates prior to commencing a foreclosure proceeding may be delivered by giving the notice to the owner of the real estate served or by sending the notice by certified mail, return receipt requested, to the owner's last known address or, only upon exhausting these two options, by leaving the notice at the owner's last and usual place of abode.

Private and Special Law 2015, chapter 9 was enacted as an emergency measure effective June 15, 2015.

**LD 1231 An Act To Create the Southwest Harbor Water and Sewer District**

**P & S 11**

Sponsor(s)  
LANGLEY

Committee Report  
OTP-AM

Amendments Adopted  
S-185

This bill provides for the creation of the Southwest Harbor Water and Sewer District and the transfer of all water and sewer assets of the Town of Southwest Harbor to the new district.

**Committee Amendment "A" (S-185)**

This amendment makes minor changes to language in the bill. This amendment makes consent of the Board of Selectmen of the Town of Southwest Harbor required prior to the exercise by the Southwest Harbor Water and Sewer District of the rights of eminent domain. This amendment provides that one of the trustees of the district must be the town manager of the Town of Southwest Harbor. This amendment also provides a process if the town manager position becomes vacant, which allows either the acting town manager to serve as a trustee or, in the absence of an acting town manager, the Board of Selectmen of the Town of Southwest Harbor to appoint a resident of the Town of Southwest Harbor as a trustee until the town manager position is filled. This amendment also requires the board of selectmen to determine the terms of the two appointed trustees, for the first board only. This amendment requires that notice be filed with the Office of the Secretary of State, instead of a certificate of dissolution, stating that all sewer and water assets of the municipality and all debt and liabilities of the water and sewer departments of the Town of Southwest Harbor have been transferred to the district. This amendment strikes the provision of the bill regarding the debt responsibility of the Town of Southwest Harbor.

**Enacted Law Summary**

Private and Special Law 2015, chapter 11 provides for the creation of the Southwest Harbor Water and Sewer District and the transfers of all water and sewer assets of the Town of Southwest Harbor to the new district.

**LD 1245 An Act To Preserve the Efficiency of Transportation Maintenance and Construction Activities**

**PUBLIC 177**

Sponsor(s)  
COLLINS  
MCLEAN

Committee Report  
OTP-AM

Amendments Adopted  
S-122

This bill provides an exemption from the Overhead High-voltage Line Safety Act to an employee or independent contractor engaged on behalf of a municipality or state agency to maintain or install traffic signals, traffic beacons,

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dynamic signs or luminaires within 10 feet of overhead high-voltage lines.

**Committee Amendment "A" (S-122)**

This amendment provides that traffic lighting is considered covered equipment under the Overhead High-voltage Line Safety Act, and it defines "traffic lighting." This amendment provides that state agencies, quasi-independent state agencies and municipalities are exempt from the provisions of the Maine Revised Statutes, Title 35-A, sections 756 and 757 for the installation or maintenance of traffic lighting as long as the person performing the installation or maintenance has met applicable training certification or licensing requirements for performing the installation or maintenance and the installation or maintenance is performed in accordance with all applicable federal, state and local laws, regulations, safety codes and ordinances and any other applicable safety requirements. The amendment also requires a municipality or a contractor working for a municipality to maintain the minimum insurance requirements specified by the Department of Transportation.

**Enacted Law Summary**

Public Law 2015, chapter 177 provides that traffic lighting is considered covered equipment under the Overhead High-voltage Line Safety Act, and it defines "traffic lighting." It provides that state agencies, quasi-independent state agencies and municipalities are exempt from the provisions of the Maine Revised Statutes, Title 35-A, sections 756 and 757 for the installation or maintenance of traffic lighting as long as the person performing the installation or maintenance has met applicable training certification or licensing requirements for performing the installation or maintenance and the installation or maintenance is performed in accordance with all applicable federal, state and local laws, regulations, safety codes and ordinances and any other applicable safety requirements. It also requires a municipality or a contractor working for a municipality to maintain the minimum insurance requirements specified by the Department of Transportation.

**LD 1255      An Act To Improve Rural Utility Service through the Use of Microgrids      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R DILL	ONTP	

This bill creates a new chapter in the laws concerning public utilities for microgrids and defines what constitutes a microgrid. It provides the Public Utilities Commission the authority to adopt major substantive rules to regulate the creation and operation of microgrids.

**LD 1256      An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders      PUBLIC 230**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS WOODSOME	OTP-AM	H-268

This bill allows the Public Utilities Commission, Emergency Services Communication Bureau to provide selected public safety answering points with assistance in the voluntary adoption and implementation of standardized dispatch protocols, which includes dispatcher training and certification consistent with the protocols, necessary software and printed support materials and a continuous quality improvement program that measures compliance with the protocols through ongoing random case review of each police and fire dispatcher. Funding is provided by allowing up to five cents of each statewide E-9-1-1 surcharge collected to be used by the bureau.

The bill directs the bureau to adopt routine technical rules that contain criteria to determine how to allocate resources among public safety answering points if more public safety answering points seek to adopt and implement

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standardized dispatch protocols than available funding will cover. This bill directs the bureau to seek input from the statewide association of dispatchers when developing the criteria for rules.

**Committee Amendment "A" (H-268)**

This amendment changes the adoption and implementation of standardized dispatch protocols from voluntary to mandatory and limits those protocols to only fire calls, instead of police and fire as in the bill. This amendment phases in adoption and implementation over a three-year period and requires the Public Utilities Commission, Emergency Services Communication Bureau to adopt routine technical rules, with input from all public safety answering point managing entities, that identify the phase-in process and address program administration. Lastly, this amendment directs the Emergency Services Communication Bureau to submit a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters that includes cost estimates for the adoption and implementation of standardized dispatch protocols for answering police 9-1-1- calls, the time it would take to phase in these protocols based on available funding from the surcharge in the Maine Revised Statutes, Title 25, section 2927, subsections 1-E and 1-F, whether there should be a certification and licensing requirement for all standardized dispatch protocols and any other recommendations to ensure efficient and effective oversight of the standardized dispatch protocols. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters may submit legislation during the First Regular Session of the 129th Legislature relating to the report.

The amendment also adds an appropriations and allocations section.

**Enacted Law Summary**

Public Law 2015, chapter 230 directs the Public Utilities Commission, Emergency Services Communication Bureau to assist public safety answering points in the adoption and implementation of standardized dispatch protocols for fire 9-1-1 calls by using up to five cents of each E-9-1-1 surcharge and prepaid wireless telecommunications service E-9-1-1 surcharge collected to provide dispatcher training, necessary software and support materials, and quality assurance training and software. It requires the adoption and implementation of standardized dispatch protocols for fire 9-1-1 calls to be phased in over a three-year period. It requires the Public Utilities Commission, Emergency Services Communication Bureau to adopt routine technical rules, with input from all public safety answering point managing entities, that identify the phase-in process and address program administration. Lastly, it directs the Emergency Services Communication Bureau to submit a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters that includes cost estimates for the adoption and implementation of standardized dispatch protocols for answering police 9-1-1- calls, the time it would take to phase in these protocols based on available funding from the surcharge in the Maine Revised Statutes, Title 25, section 2927, subsections 1-E and 1-F, whether there should be a certification and licensing requirement for all standardized dispatch protocols and any other recommendations to ensure efficient and effective oversight of the standardized dispatch protocols. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters may submit legislation during the First Regular Session of the 129th Legislature relating to the report.

**LD 1257      Resolve, To Make Home Heat Pumps Affordable**

**ONTP**

Sponsor(s)  
FREDETTE

Committee Report  
ONTP

Amendments Adopted

This resolve allows the Public Utilities Commission to authorize a transmission and distribution utility to purchase heat pumps for consumer use and offer special discounted electric rates or other assistance to make heat pumps more accessible to residents of the State.

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**LD 1263      **Resolve, To Create Sustainable Growth in Maine's Distributed Energy Sector That Uses Market Forces To Fairly Compensate Energy Producers****

**RESOLVE 37**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON SAVIELLO	OTP-AM	H-368

This bill allows customers of transmission and distribution utilities to engage in net energy billing, a method under which a customer is billed on the basis of net energy over the billing period taking into account accumulated unused kilowatt-hour credits from the previous billing period. It changes the law regarding renewable resources to increase the new renewable capacity resources percentages in the portfolio requirements of competitive electricity providers and requires those increases to be met by new renewable capacity resources that rely on solar energy, and it removes the Public Utilities Commission's power to suspend scheduled increases in portfolio requirements for new renewable capacity resources. It also establishes an alternative compliance payment mechanism and a system of solar renewable energy credits, including an auction for long-term contracts for these credits, in order to provide competitive electricity providers with alternative methods to satisfy the new portfolio requirements.

**Committee Amendment "A" (H-368)**

This amendment replaces the bill with a resolve. The resolve directs the Public Utilities Commission to convene a stakeholder group to develop an alternative to net energy billing. This amendment provides direction for the commission in the development of an alternative. This amendment requires the commission to submit a report by January 30, 2016 to the Joint Standing Committee on Energy, Utilities and Technology that includes an overview of the stakeholder discussions; an overview of the alternative; any areas in which stakeholders were unable to reach consensus; technical specifications, rules or policies needed to carry out the alternative; a proposed timeline for implementation of the alternative; technical or legal barriers to implementation of the alternative; and any other recommendations. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature related to the report.

**Enacted Law Summary**

Resolve 2015, chapter 37 directs the Public Utilities Commission to convene a stakeholder group to develop an alternative to net energy billing. The law provides direction for the commission in the development of an alternative. The law requires the commission to submit a report by January 30, 2016 to the Joint Standing Committee on Energy, Utilities and Technology that includes an overview of the stakeholder discussions; an overview of the alternative; any areas in which stakeholders were unable to reach consensus; technical specifications, rules or policies needed to carry out the alternative; a proposed timeline for implementation of the alternative; technical or legal barriers to implementation of the alternative; and any other recommendations. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature related to the report.

**LD 1293      **An Act To Allow a Local Distributed Energy Pilot Program****

**Accepted Majority  
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO WOODSOME	ONTP OTP	

This bill establishes a pilot program to encourage municipal and private partnerships to develop solar array photovoltaic systems that provide public benefits. The total generating capacity of all solar array photovoltaic

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systems participating in the pilot program may not exceed 15 megawatts. Under the pilot program, up to 2.5 megawatts of energy produced by the solar array photovoltaic system may be supplied under a net energy billing arrangement to meet the energy requirements of the municipality and any public schools located in the municipality in which the solar array photovoltaic system is located. All costs to a transmission and distribution utility directly resulting from the pilot program are just and reasonable costs for ratemaking purposes.

**LD 1302      An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market      CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON		

This bill makes the following changes in the laws governing provider of last resort service:

1. Removes the requirement that a provider of provider of last resort service have the capacity to maintain uninterrupted voice service during a power failure, either through the incorporation into the network or network interface devices of suitable battery backup or through electric current;
2. Provides that after December 31, 2015 and until December 31, 2021:
  - A. No voice network service provider may be required to provide provider of last resort service without its express consent;
  - B. Provider of last resort service will not be provided in any United States census tract area in which there are, in addition to the incumbent local exchange carrier, at least one voice network service provider that provides telephone exchange service to at least 94 percent of the households in the census tract area and at least one mobile telecommunications services provider that provides mobile telecommunications services to at least 94 percent of the households in the census tract area;
  - C. For all other areas of the State, referred to as potential provider of last resort service, or POLR, areas, the Public Utilities Commission is required to develop rules establishing a process for designating willing providers of provider of last resort service. An incumbent local exchange carrier that voluntarily agrees to continue providing provider of last resort service in a potential POLR area remains the provider of provider of last resort service in that area until no longer willing to provide the service or until replaced by another provider or until December 31, 2021, whichever occurs first; and
  - D. In order to encourage voice network service providers to provide provider of last resort service in potential POLR areas, the commission is allowed to make available and provide state universal service fund money to providers of provider of last resort service;
3. Provides that after December 31, 2021:
  - A. Provider of last resort service is not available and the commission may not designate any voice network service provider to provide provider of last resort service in any area of the State; and
  - B. The commission is prohibited from requiring contributions to the state universal service fund and may not disburse or authorize disbursement of any money from the fund to any voice network service provider for the purpose of ensuring reasonably comparable consumer rates; and
4. Directs the commission to examine all laws and rules relating to provider of last resort service and determine any changes that may be needed to conform those rules and laws to the provisions of this bill. The commission is

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directed to submit a report, together with any necessary draft legislation to implement its recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 15, 2015. The committee is authorized to report out a bill relating to provider of last resort service to the Second Regular Session of the 127th Legislature.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1309     An Act To Create the Central Maine Water District**

**Died On  
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN MCCORMICK	OTP-AM	H-399

This bill consolidates the Gardiner Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1903, chapter 82, as amended, and the Hallowell Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1921, chapter 75, as amended, to create the Central Maine Water District. The Central Maine Water District includes within its service territory the towns of Chelsea, Farmingdale, Pittston and Randolph and the cities of Hallowell and Gardiner. The district is a standard water district with all of the powers in the Maine Revised Statutes, Title 35-A, chapter 64 except as otherwise provided in this bill; the additional powers are those provided by the Legislature to each current district in their Private and Special Law charters and amendments.

Consolidation is contingent upon its approval by a referendum vote in each of the service territory municipalities in which 25 percent or more of the households in that municipality are customers of the Hallowell Water District or the Gardiner Water District, as applicable. The municipalities in which 25 percent or more of the households in that municipality are customers of the district currently are the cities of Hallowell and Gardiner and the towns of Farmingdale and Randolph.

**Committee Amendment "A" (H-399)**

This amendment removes from the bill provisions restricting the decision to form the Central Maine Water District and have it acquire the assets and liabilities of the Hallowell Water District and the Gardiner Water District to the legal voters of municipalities in which 25 percent or more of the households would be customers of the proposed district and replaces them with provisions extending the decision to so vote to all the legal voters of the proposed district. It also provides for two additional referendum questions: one for the voters in the City of Hallowell to vote whether to permit the Hallowell Water District to turn over its assets and liabilities to the Central Maine Water District and eventually dissolve as a corporate entity and one for the voters in the City of Gardiner to vote whether to permit the Gardiner Water District to turn over its assets and liabilities to the Central Maine Water District and eventually dissolve as a corporate entity. It requires that all three questions must be voted affirmatively for the Central Maine Water District to be formed. It also changes the charter to require a districtwide referendum to increase the district's debt limit.

**LD 1310     An Act To Amend the Community-based Renewable Energy Program**

**PUBLIC 232**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT	OTP-AM ONTP	H-269

This bill makes various changes to the community-based renewable energy pilot program. It makes the program permanent, broadens eligibility, adds provisions to ensure program participant viability, eliminates the program

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incentive of renewable energy credit multipliers and requires the Public Utilities Commission to use a periodic competitive bidding process to choose projects that will receive long-term contracts.

### **Committee Amendment "A" (H-269)**

This amendment is the majority report of the committee and strikes and replaces the bill. The amendment provides a definition for the term "net generating capacity." The amendment changes the limits on generating capacity from installed generating capacity to net generating capacity. The amendment reduces the reserved amount of megawatts from 10 to two for program participants that have a net generating capacity of less than 100 kilowatts or are located in the service territory of a consumer-owned transmission and distribution utility. The amendment removes the scheduled repeal of the law regulating community-based renewable energy and clarifies that the Public Utilities Commission may not issue an order after December 31, 2015 directing an investor-owned transmission and distribution utility to enter into any long-term contract or allow a consumer-owned transmission and distribution utility to enter into any long-term contract. The amendment specifies that all community-based renewable energy projects that have been selected for a long-term contract must become operational and commence generating electricity by December 31, 2018.

The amendment requires the commission to review all certified program participant projects that have not yet reached commercial operations to determine whether projects are reasonably likely to achieve commercial operations within three-year time period. This amendment provides that those projects determined not viable remain certified, but any contract that had been issued is to be revoked. The amendment allows the commission to conduct an expedited request for proposals to select community-based renewable energy projects to become program participants and enter into long-term contracts, if there is capacity remaining after the removal of nonviable projects. The amendment specifies that only those projects that provide the most benefit to ratepayers and have contract pricing below 10 cents per kilowatt hour within each contract year may be chosen. Lastly, this amendment prohibits a project under this process from choosing the renewable energy credit multiplier incentive. Those projects that are operational and have elected the renewable energy credit multiplier do not count towards the 50-megawatt cap on net generating capacity.

### **Enacted Law Summary**

Public Law 2015, chapter 232 provides a definition for the term "net generating capacity." It changes the limits on generating capacity from installed generating capacity to net generating capacity. It reduces the reserved amount of megawatts from 10 to two for program participants that have a net generating capacity of less than 100 kilowatts or are located in the service territory of a consumer-owned transmission and distribution utility. It removes the scheduled repeal of the law regulating community-based renewable energy and clarifies that the Public Utilities Commission may not issue an order after December 31, 2015 directing an investor-owned transmission and distribution utility to enter into any long-term contract or allow a consumer-owned transmission and distribution utility to enter into any long-term contract. It specifies that all community-based renewable energy projects that have been selected for a long-term contract must become operational and commence generating electricity by December 31, 2018.

It requires the commission to review all certified program participant projects that have not yet reached commercial operations to determine whether projects are reasonably likely to achieve commercial operations within three-year time period. It provides that those projects determined not viable remain certified, but any contract that had been issued is to be revoked. It allows the Public Utilities Commission to conduct an expedited request for proposals to select community-based renewable energy projects to become program participants and enter into long-term contracts, if there is capacity remaining after the removal of nonviable projects. It specifies that only those projects that provide the most benefit to ratepayers and have contract pricing below 10 cents per kilowatt hour within each contract year may be chosen. Lastly, it prohibits a project under this process from choosing the renewable energy credit multiplier incentive and those projects that are operational and have elected the renewable energy credit multiplier do not count towards the 50-megawatt cap on net generating capacity.

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**LD 1313 An Act To Amend the Laws Regarding Nuclear Power Generating Facilities**

**PUBLIC 165**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR BRAKEY	OTP-AM ONTP	H-182

This bill removes language stating that recent investments in nuclear power have caused severe financial strain on consumers. This bill also changes the requirement regarding a referendum for the siting of a nuclear power plant. Current law provides that prior to the construction of any nuclear power facility, a referendum must be held to vote on the acceptance or rejection of construction of such a facility. This bill limits when a referendum would be held to only those facilities with a capacity greater than 500 megawatts.

**Committee Amendment "A" (H-182)**

This amendment, which is the majority report, removes section 2 from the bill, which creates a threshold capacity of 500 megawatts for nuclear power plants for which a referendum is required as part of the siting process. The amendment maintains the current law, which requires a referendum for any nuclear power plant regardless of its generating capacity, but it leaves the provision in the bill that amends the findings section of the laws regarding nuclear power generating facilities.

**Enacted Law Summary**

Public Law 2015, chapter 165 amends the findings section of the laws regarding nuclear power generating facilities by striking language stating that recent investments in nuclear power have caused severe financial strain on consumers.

**LD 1314 An Act To Establish Primary Energy Goals for the State**

**Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WADSWORTH PATRICK	ONTP OTP	

This bill changes the State's energy goals to establish that the primary objectives of the State's energy policy are to reduce electric rates and costs and to reduce air pollution.

**LD 1315 An Act To Amend Maine's Restructuring Laws**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L MASON		

This bill allows an investor-owned transmission and distribution utility to own generation assets if the Public Utilities Commission determines that ownership is beneficial to the utility's ratepayers.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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**LD 1323 An Act To Expand Rural Broadband**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE DILL	ONTP	

This bill allows municipalities and counties to create corporate entities with bonding authority to issue bonds for the purpose of funding construction or providing loans for the construction of broadband infrastructure to serve the municipality or county and ensure comprehensive broadband coverage within the municipality or county. The bill further clarifies that the expansion of broadband using optical fiber is an authorized expense under the state universal service fund administered by the Public Utilities Commission. Finally, this bill amends the State's goals for broadband policy by requiring that the ConnectME Authority define "broadband" to have at least the same speed as the current Federal Communications Commission standard and to create a standard providing that upload and download speeds are the same.

**LD 1329 An Act To Maximize the Benefits of Renewable Energy in Maine**

**Died Between  
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR WOODSOME	ONTP OTP-AM	

This bill makes a number of changes to the findings, scenic impact provisions and other provisions of law governing wind energy and renewable energy development. It:

1. Modifies legislative findings regarding wind energy to expand the scope of the findings to include other renewable energy resources and to identify various potential impacts of wind energy development;
2. Reduces state goals for new wind energy development;
3. Requires grid-scale wind energy developers to file decommissioning plans and to provide a performance bond to guarantee the funding for decommissioning;
4. Requires that a community benefits package supplied by an expedited wind energy development to host communities be memorialized as a written agreement and creates a lien on the real estate of the development to secure the receipt by the host community of those benefits; and
5. Modifies the authority of the Public Utilities Commission to require transmission and distribution utilities to enter into long-term contracts for renewable energy capacity resources, and it provides that the Public Utilities Commission may require contracts only for firm capacity or energy.

**Committee Amendment "A" (H-347)**

This amendment is the minority report of the committee. This amendment replaces the bill. Like the bill, this amendment modifies the legislative findings of the Maine Wind Energy Act to expand the scope to include other renewable energy sources, not just wind. Like the bill, this amendment provides in the legislative findings of the Maine Wind Energy Act that conversion or replacement energy fuel sources for powering motor vehicles and for heating well-insulated residential and commercial buildings may enhance energy independence, reduce energy costs and reduce greenhouse gas emissions. This amendment removes the provision of the legislative findings of the

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Maine Wind Energy Act that addresses the need for modification of regulatory process for siting wind energy developments.

This amendment, like the bill, requires grid-scale wind energy developers to file decommissioning plans and to provide a performance bond to guarantee the funding for decommissioning. This amendment requires the Department of Environmental Protection to adopt routine technical rules related to the decommissioning of grid-scale wind energy development. The amendment also adds an appropriations and allocations section.

**LD 1339 An Act To Provide Relief to Maine Ratepayers**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU DUNPHY L		

This bill direct the Public Utilities Commission to reject all bids to provide standard offer service, suspend the renewable portfolio standard, and issue a new request for proposals, if the Commission does not receive a bid below 10 cents per kilowatt hour for a class of customers in a transmission and distribution utility’s service territory. If, following the new request for proposals, a bid is accepted by the Commission for less than 10 cents per kilowatt hour, the suspension of the renewable portfolio standards remains in effect for the duration of that standard offer period.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1355 An Act To Improve Residential Renewable Energy Use**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT WOODSOME	ONTP	

This bill:

1. Allows a transmission and distribution utility to provide to residential or small commercial customers on-bill financing of customer costs of installing solar energy systems in accordance with rules adopted by the Public Utilities Commission; and
2. Directs the Efficiency Maine Trust to establish a program to provide technical and financial assistance to persons installing residential photovoltaic systems that can supply energy to operate heat pump systems in residences.

**LD 1362 An Act Concerning Membership on the Board of Directors of the Lewiston-Auburn Water Pollution Control Authority**

**P & S 8**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	OTP-AM	S-112

This bill changes the charter of the Lewiston-Auburn Water Pollution Control Authority in order to allow the Auburn Sewerage District Trustees to appoint a trustee or resident of Auburn to replace the president of the Auburn Sewerage District Trustees on the board of directors of the authority should the president decline to serve or resign as a member of the board. In current law, the president appoints a successor, who must be a trustee.

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**Committee Amendment "A" (S-112)**

This amendment provides that, if the president of the Auburn Sewerage District Trustees declines to serve or resigns as a member of the board of the Lewiston-Auburn Water Pollution Control Authority, the president must select, subject to confirmation by the Auburn Sewerage District Trustees, another trustee or resident of Auburn to serve the remainder of the term; the bill provides that the trustees select the president's replacement.

**Enacted Law Summary**

Private and Special Law 2015, chapter 8 changes the charter of the Lewiston-Auburn Water Pollution Control Authority to provide that if the president of the Auburn Sewerage District Trustees declines to serve or resigns as a member of the board of the Lewiston-Auburn Water Pollution Control Authority, the president must select, subject to confirmation by the Auburn Sewerage District Trustees, another trustee or resident of Auburn to serve the remainder of the term.

**LD 1363      An Act To Secure the Maine Electrical Grid from Long-term Blackouts      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT BEAVERS	ONTP OTP-AM OTP-AM	

This bill gives the Public Utilities Commission the authority to require transmission and distribution utilities to take necessary actions to ensure that their systems are protected from or able to negate effects of geomagnetic disturbances and electromagnetic pulses. This bill provides that any costs incurred by a transmission and distribution utility as a result of a directive by the commission are just and reasonable for rate-making purposes; however, the costs of a failure of a transmission and distribution system resulting from geomagnetic disturbances or electromagnetic pulses are the responsibility of the transmission and distribution utility and may not be borne by ratepayers.

The bill also directs the Public Utilities Commission, by July 1, 2016, to direct transmission and distribution utilities to undertake mitigation measures, including but not limited to the installation of additional geomagnetically induced current monitoring sites, neutral current blocking devices and supervisory control and data acquisition system protectors and the holding of sufficient spare transformers on site to more quickly replace damaged transformers. Identified measures were included in the Public Utilities Commission report dated January 20, 2014, entitled Report to the Legislature Pursuant to Resolves 2013, Chapter 45, Regarding Geomagnetic Disturbances (GMD) and Electromagnetic Pulse (EMP).

**Committee Amendment "A" (S-215)**

This amendment is a minority report of the committee. It removes the directive to the Public Utilities Commission to order transmission and distribution utilities to undertake actions to ensure their systems are protected from or able to negate effects of electromagnetic pulses and limits the directive to severe geomagnetic disturbances only. The amendment specifies that any action directed by the commission must be cost-effective and at a minimum consistent with the Federal Energy Regulatory Commission's reliability standards. It removes language that prohibits a transmission and distribution utility from collecting from ratepayers costs to address the failure of the system due to geomagnetic disturbances or electromagnetic pulses.

The amendment changes the specific mitigation measures the bill requires the Public Utilities Commission to direct transmission and distribution utilities to undertake to protect their systems from geomagnetic disturbances and electromagnetic pulses and instead requires that the commission order transmission and distribution utilities to

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install and operate equipment to protect and monitor their 345-kilovolt transformers and other critical equipment against severe geomagnetic disturbances. This amendment requires the work to protect the 345-kilovolt transformers be completed no later than December 31, 2020, but the time frame for that work is to be determined from a collaboration between the commission and transmission and distribution utilities.

**Committee Amendment "B" (S-216)**

This amendment is a minority report of the committee. It removes the directive to the Public Utilities Commission to order transmission and distribution utilities to undertake actions to ensure their systems are protected from or able to negate effects of electromagnetic pulses and limits the directive to severe geomagnetic disturbances only. It also requires the commission to direct transmission and distribution utilities to monitor their 345-kilovolt transformers to ensure they are protected from severe geomagnetic disturbances. This amendment specifies that any action directed by the commission must be cost-effective and consistent with the Federal Energy Regulatory Commission's reliability standards. It removes language that specifies that all costs incurred by transmission and distribution utilities as a result of the requirements imposed under the Maine Revised Statutes, Title 35-A, section 3144 are just and reasonable for rate-making purposes. It also removes language that prohibits a transmission and distribution utility from collecting from ratepayers costs to address the failure of the system due to geomagnetic disturbances or electromagnetic pulses.

This amendment removes section 2 of the bill, which requires the commission by July 1, 2016 to direct transmission and distribution utilities to undertake specific mitigation measures to protect against geomagnetic disturbances and electromagnetic pulses.

**LD 1382 An Act To Assist Low-income Electricity Consumers**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON		

This bill amends the statutes regarding electric industry restructuring and Public Law 2013, chapter 369 to allocate Maine Yankee settlement funds to assist low-income electricity ratepayers in accordance with the Maine Revised Statutes, Title 35-A, section 3214, subsection 2 by directing that transmission and distribution utilities are to pay to the Public Utilities Commission all funds received and that certain remaining funds be used for investments in measures that reduce residential heating costs for low-income electricity customers.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1397 An Act To Establish the Affordable Heating from Maine's Forests Fund**

**Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE EDGEComb P	ONTP OTP-AM	

This bill establishes the Affordable Heating from Maine's Forests Fund, administered by the Efficiency Maine Trust. The fund receives revenue from the sale of timber and other things of value from Maine's public reserved lands. In 2015 a minimum of \$1,000,000 must be transferred from the Public Reserved Lands Management Fund to the Affordable Heating from Maine's Forests Fund. Subsequent transfers are based on revenue accrued over the 2012 revenue amounts of the Public Reserved Lands Management Fund, subject to some limitations. The Efficiency Maine Trust is required to use the funding for measures that reduce residential heating costs and must prioritize rural and low-income residences.

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**Committee Amendment "A" (H-455)**

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

**LD 1398 An Act To Reduce Electric Rates for Maine Businesses**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON DUNPHY L		

This bill increases the amount of Regional Greenhouse Gas Initiative Trust Fund revenue that is to be returned to business ratepayers. Currently 15 percent of the funds are returned to businesses, and this bill increases it to 55 percent. The bill adds loans and technical assistance to the required uses of the allocated funds, which also include measures, investments and arrangements that reduce electricity consumption or reduce greenhouse gas emissions and lower energy costs at commercial or industrial facilities. It changes the percent allocated for those measures from 50 percent to 10 percent and adds the fiscal years of 2016-17, 2017-18 and 2018-19 for funds to be allocated.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 1399 An Act To Improve Natural Gas Price Competitiveness for Maine's Manufacturers**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS MAKER	ONTP	

This bill authorizes the Public Utilities Commission to order one or more gas utilities or transmission and distribution utilities to enter into a backstop agreement under which a designated replacement shipper agrees to enter into a service agreement with an interstate natural gas pipeline for the long-term interstate natural gas pipeline capacity of an eligible customer.

**LD 1400 An Act To Focus Energy Laws on Energy Cost**

**Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME	ONTP OTP-AM	

This bill directs the Public Utilities Commission to select a distributed generation aggregator to gather individual owners of distributed generation assets together to maximize the supply benefits of distributed generation and compensate owners of distributed generation assets for the energy supply benefits they provide ratepayers, including benefits related to energy supply, energy capacity and renewable energy credits. Effective January 1, 2016, the bill repeals the renewable portfolio standard, which requires competitive electricity providers to demonstrate to the Public Utilities Commission that a certain percentage of their portfolio of supply sources for retail electricity sales comes from renewable resources, new renewable capacity resources and efficient resources. The bill repeals the provision governing net energy billing, which is a billing and metering practice under which a customer is billed on the basis of net energy over the billing period taking into account accumulated unused kilowatt-hour credits from the previous billing period. The bill changes the long-term contracting authority of the Public Utilities Commission

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and specifies that it is the policy of the State with respect to long-term contracts to reduce electricity rates and costs for the State's residential and business customers and reduce pollution.

**Committee Amendment "A" (S-217)**

This amendment is the minority report of the committee. This amendment changes the date of repeal of the renewable portfolio standard from January 1, 2016 to January 1, 2017. This amendment removes portions of the bill that direct the Public Utilities Commission to select a distributed generation aggregator. Lastly, this amendment authorizes the Public Utilities Commission to contract for energy efficiency capacity resources, either through a competitive solicitation or through a contract with the Efficiency Maine Trust.

**LD 1444     An Act To Correct an Inconsistency in the So-called Dig Safe Law**

**PUBLIC 213**

Sponsor(s)

Committee Report

Amendments Adopted

This bill aims to correct an inconsistency in the so-called Dig Safe Law. It requires that an excavation must commence within 30 days after notification by an excavator to the underground facility damage prevention system and requires that if work is not completed within 60 calendar days of notification, an excavator must again notify the system in accordance with the Maine Revised Statutes, Title 23, section 3360-A.

This bill is reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Public Law 2013, chapter 557, section 3. The law directed the Public Utilities Commission to review Public Utilities Commission Rule Chapter 895: Underground Facility Damage Prevention Requirements. The commission submitted a report to the committee and made recommendations based on this review and after receiving stakeholder input.

**Enacted Law Summary**

Public Law 2015, chapter 213 corrects an inconsistency in the so-called Dig Safe Law. It requires that an excavation must commence within 30 days after notification by an excavator to the underground facility damage prevention system and requires that if work is not completed within 60 calendar days of notification, an excavator must again notify the system in accordance with the Maine Revised Statutes, Title 23, section 3360-A.

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## **SUBJECT INDEX**

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#### **Enacted**

LD 446      An Act To Change the Name of the Public Utilities Commission's Consumer Assistance Division      PUBLIC 8

#### **Not Enacted**

LD 237      An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission      Veto Sustained

LD 1221      An Act To Enhance Energy Cost Reduction and Facilitate Heating Alternatives in furtherance of the Omnibus Energy Act      Died Between Houses

### **Cable Television**

#### **Not Enacted**

LD 398      An Act To Allow Consumers of Cable Television To Purchase Channels Individually      Majority (ONTP) Report

### **Dig Safe**

#### **Enacted**

LD 200      Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission      RESOLVE 9 EMERGENCY

LD 1444      An Act To Correct an Inconsistency in the So-called Dig Safe Law      PUBLIC 213

### **E911**

#### **Enacted**

LD 339      An Act To Clarify That the Telephone Number 9-1-1 Is the Only Number Advertised or Promoted for Emergency Response Services      PUBLIC 62

LD 1256      An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders      PUBLIC 230

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LD 342      An Act To Reduce the E-9-1-1 Surcharge      ONTP

## **Efficiency Maine Trust**

### **Enacted**

LD 1215	An Act To Provide Lower Energy Costs to Maine Businesses and Residences by Carrying Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust	PUBLIC 255
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### **Not Enacted**

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## **Electricity**

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LD 796	An Act To Allow a Municipality To Choose Its Power Provider	ONTP
LD 825	An Act To Allow Consumer-owned Transmission and Distribution Utilities To Apply for Efficiency Maine Grants	ONTP
LD 945	An Act To Manage Electricity Rates To Lower Consumer Electricity Bills and Increase Utilities' Cash Flow through 3rd-party Management of Smart Meters	ONTP
LD 1107	An Act To Improve the Laws Governing the Purchasing of Power	ONTP
LD 1255	An Act To Improve Rural Utility Service through the Use of Microgrids	ONTP
LD 1315	An Act To Amend Maine's Restructuring Laws	CARRIED OVER
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LD 1363	An Act To Secure the Maine Electrical Grid from Long-term Blackouts	Died Between Houses

## **Energy**

### **Enacted**

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LD 1310	An Act To Amend the Community-based Renewable Energy Program	PUBLIC 232
LD 1313	An Act To Amend the Laws Regarding Nuclear Power Generating Facilities	PUBLIC 165

LD 273	An Act To Encourage and Enhance the Future of Waste-to-energy Facilities by Establishing a Portfolio Requirement for Electricity from Waste Energy Resources	CARRIED OVER
LD 295	An Act To Promote Tidal Energy Projects	ONTP
LD 558	An Act To Amend the Community-based Renewable Energy Project Laws for Purposes of the Mayo Mill Project	ONTP
LD 743	An Act To Protect the Environment and Assist Municipalities with the Recycling, Reuse and Processing of Solid Waste	ONTP
LD 881	An Act To Allow the Public Utilities Commission To Contract for Liquefied Natural Gas Storage and Distribution	CARRIED OVER
LD 1116	An Act To Authorize the Development of Thorium Energy	ONTP
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LD 1400	An Act To Focus Energy Laws on Energy Cost	Died Between Houses

### **Energy Conservation**

#### **Not Enacted**

LD 1257	Resolve, To Make Home Heat Pumps Affordable	ONTP
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### **Energy Efficiency**

#### **Not Enacted**

LD 103	An Act To Recruit New Businesses to Maine by Providing Energy Efficiency Assistance	ONTP
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### **Miscellaneous**

#### **Enacted**

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### **Miscellaneous - Utilities and Energy**

#### **Enacted**

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LD 1124	An Act To Manage Risks Associated with the Installation of Natural Gas Pipelines	PUBLIC 216

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LD 797	An Act To Ensure Reliable Power Supply to Homes and Businesses	ONTP
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LD 1382 An Act To Assist Low-income Electricity Consumers CARRIED OVER

### **Natural Gas**

#### **Not Enacted**

LD 1399 An Act To Improve Natural Gas Price Competitiveness for Maine's Manufacturers ONTP

### **Solar Energy**

#### **Enacted**

LD 1263 Resolve, To Create Sustainable Growth in Maine's Distributed Energy Sector That Uses Market Forces To Fairly Compensate Energy Producers RESOLVE 37

#### **Not Enacted**

LD 1073 An Act To Lower Energy Costs and Increase Access to Solar Energy for Agricultural Businesses CARRIED OVER

LD 1293 An Act To Allow a Local Distributed Energy Pilot Program Majority (ONTP) Report

LD 1355 An Act To Improve Residential Renewable Energy Use ONTP

### **Telecommunications**

#### **Not Enacted**

LD 89 An Act To Improve Telecommunications in Maine ONTP

LD 466 An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market CARRIED OVER

LD 879 An Act To Ensure High-quality Telecommunications Services for Maine Consumers and Businesses CARRIED OVER

LD 882 An Act To Ensure That Telephone Utility Reorganizations Advance the Economic Development and Information Access Goals of the State Majority (ONTP) Report

LD 883 An Act To Create the Cellular Telephone Labeling Act Majority (ONTP) Report

LD 992 An Act To Regulate Standards of Service for Mobile Telecommunications Services and Broadband Services ONTP

LD 1302 An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market CARRIED OVER

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#### **Enacted**

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LD 912 An Act To Allow the Establishment of Regional Municipal Utility Districts To Support Broadband Communications PUBLIC 222

LD 1063	An Act To Promote Community Broadband Planning and Strengthen Economic Opportunity throughout Maine	PUBLIC 284
LD 1185	An Act To Establish the Municipal Gigabit Broadband Network Access Fund	PUBLIC 323
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LD 826	An Act To Promote Maine's Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investments in High-speed Internet	CARRIED OVER
LD 1167	An Act To Modernize Maine's Broadband Standards	ONTP
LD 1323	An Act To Expand Rural Broadband	ONTP

### **Water/Sewer - Charters**

<b><u>Enacted</u></b>		
LD 216	An Act To Amend the Charter of the Hampden Water District	P & S 2 EMERGENCY
LD 650	An Act To Amend the Brunswick Sewer District Charter	P & S 5
LD 1223	An Act To Revise the Charter of the Kennebunk Sewer District	P & S 9 EMERGENCY
LD 1231	An Act To Create the Southwest Harbor Water and Sewer District	P & S 11
LD 1362	An Act Concerning Membership on the Board of Directors of the Lewiston-Auburn Water Pollution Control Authority	P & S 8

<b><u>Not Enacted</u></b>		
LD 326	An Act To Transfer Ownership of the Monhegan Water Company	ONTP
LD 1075	An Act To Amend the Charter of the Canton Water District	CARRIED OVER
LD 1309	An Act To Create the Central Maine Water District	Died On Adjournment

### **Water/Sewer - General**

<b><u>Enacted</u></b>		
LD 192	An Act To Clarify the Law Governing the Collection of Unpaid Sanitary District Charges	PUBLIC 174
LD 880	An Act To Permit Rate-adjustment Mechanisms for Water Utilities	PUBLIC 115
<b><u>Not Enacted</u></b>		
LD 430	An Act To Assist Municipalities To Obtain Payment of Overdue Sewer Bills	ONTP
LD 660	An Act To Protect Homeowners from Damage in the Event of a Failure of Public Water Systems	Veto Sustained
LD 827	An Act To Amend the Fluoridation Laws To Provide for Customer Choice	ONTP

**Wind Energy**

**Not Enacted**

LD 1329

An Act To Maximize the Benefits of Renewable Energy in Maine

Died Between  
Houses