**§3132-C. Nonwires alternatives investigation and recommendations**

**1. Investigation required.**  The nonwires alternative coordinator shall conduct an investigation of and make recommendations regarding nonwires alternatives to a wires project under section 3132, 3132‑A or 3132‑B in accordance with this section. The investigation must be conducted in coordination with the Efficiency Maine Trust. For the purposes of this section, "wires project" means a transmission line and associated infrastructure subject to the requirements of section 3132, a transmission project or subtransmission project as defined in section 3132‑A or a small transmission project or distribution project covered by section 3132‑B.

[PL 2023, c. 355, §11 (AMD).]

**2. Investigation methods; benefit-cost analysis.**  An investigation under subsection 1 must set forth the total projected costs and annual carrying costs of the wires project and the nonwires alternatives over the effective life of the wires project. The investigation must include a benefit-cost analysis that evaluates the cost-effectiveness of nonwires alternatives as compared to the wires project, under which:

A. Benefits and costs are measured in net present value; [PL 2019, c. 298, §14 (NEW).]

B. Benefits reflect total, quantifiable avoided costs and are calculated from the perspective of the investor-owned transmission and distribution utility and ratepayers, including any deferral value; and [PL 2019, c. 298, §14 (NEW).]

C. Costs are calculated from the perspective of the investor-owned transmission and distribution utility. For a nonwires alternative, costs include the utility's cost of any contracts required to deliver the nonwires alternative but do not include any ratepayer contributions to the cost of the nonwires alternative. [PL 2019, c. 298, §14 (NEW).]

[PL 2019, c. 298, §14 (NEW).]

**3. Data.**  An investor-owned transmission and distribution utility shall provide data requested by the Public Advocate or the Efficiency Maine Trust, subject to enforcement by the commission, to allow the nonwires alternative coordinator, in conjunction with the trust, to carry out investigation and analysis under this section. The trust shall use utility ratepayer usage data to identify cost-effective nonwires alternatives on the customer side of the meter. An investor-owned transmission and distribution utility may request a protective order if necessary to protect the confidentiality of customer data or critical energy infrastructure information provided under this section in accordance with section 1311‑A.

[PL 2023, c. 355, §12 (AMD).]

**4. Recommendations.**  On the basis of the investigation under subsection 1, the nonwires alternative coordinator shall develop and provide to the commission or to an investor-owned transmission and distribution utility, as appropriate, recommendations regarding cost-effective nonwires alternatives to the wires project, including a proposed plan for procurement of the recommended nonwires alternatives. The proposed procurement plan must be consistent with the provisions of section 3132‑D.

[PL 2019, c. 298, §14 (NEW).]

SECTION HISTORY

PL 2019, c. 298, §14 (NEW). PL 2023, c. 355, §§11, 12 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1. 2023
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.