



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 711

H.P. 450

House of Representatives, February 25, 2025

An Act to Facilitate the State Meeting Its Climate Goals While Protecting Farms

Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative COLLAMORE of Pittsfield.
Cosponsored by Representatives: DILL of Old Town, GUERRETTE of Caribou, HALL of Wilton, LANIGAN of Sanford, ROBERTS of South Berwick.

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

2 **Sec. 1. 35-A MRSA §3209-A, sub-§7**, as amended by PL 2021, c. 659, §17, is
3 further amended by amending the first blocked paragraph to read:

4 An entity proposing the development of a distributed generation resource that does not
5 meet one or more of the requirements of this subsection may petition the commission for a
6 good-cause exemption due to external delays outside of the entity's control, which the
7 commission may grant if it finds that, without the external delays, the entity could
8 reasonably have been expected to meet the requirements. The commission shall find that
9 delays related to site inspections and local government approvals for a distributed
10 generation resource constructed on nonfertile land are external delays outside of the entity's
11 control. The commission shall adopt rules to establish a process by which an entity
12 proposing the development of a distributed generation resource on nonfertile land may
13 appeal a denial of a good-cause exemption. The process must allow an entity proposing the
14 development of the distributed generation resource to provide documentation regarding the
15 reasons for the delay. For the purposes of this subsection, "nonfertile land" means land that
16 cannot be used for or is not capable of use without substantial modification for production
17 of agriculturally related products, including, but not limited to, crops, livestock, poultry,
18 dairy products and sod. In adopting rules required by this subsection, the commission may
19 consult with the Department of Agriculture, Conservation and Forestry.

20 **SUMMARY**

21 This bill requires the Public Utilities Commission to adopt rules to establish a process
22 by which an entity proposing the development of a distributed generation resource for net
23 energy billing on nonfertile land may appeal a denial of a good-cause exemption related to
24 delays. The bill requires the commission to find that delays related to site inspections and
25 local government approvals are external delays outside of the entity's control. The bill
26 defines "nonfertile land" as land that cannot be used for or is not capable of use without
27 substantial modification for production of agriculturally related products, including, but not
28 limited to, crops, livestock, poultry, dairy products and sod.