



132nd MAINE LEGISLATURE

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Legislative Document

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S.P. 402

In Senate, March 11, 2025

An Act to Address the Use of Electricity by Data Centers

Received by the Secretary of the Senate on March 5, 2025. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CURRY of Waldo.

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

2 **Sec. 1. 35-A MRSA §3218** is enacted to read:

3 **§3218. Electricity usage by data centers**

4 **1. Definitions.** For the purposes of this section, unless the context otherwise indicates,
5 the following terms have the following meanings.

6 A. "Data center" means any facility in the State that primarily contains electronic
7 equipment used to process, store and transmit digital information, which may be a
8 freestanding structure or a facility within a larger structure, that uses environmental
9 control equipment to maintain the proper conditions for the operation of electronic
10 equipment.

11 B. "Generation service provider" means an entity providing generation service, except
12 "generation service provider" does not include an entity providing generation service
13 behind the meter to a data center adjacent to the electricity generating facility.

14 C. "Usage maximum" means 25% of the total electricity sold by a generation service
15 provider to all of the generation service provider's customers in the State in a calendar
16 year.

17 **2. Limitation on usage.** A generation service provider may not in a calendar year
18 provide to data centers in the State a cumulative amount of electricity that exceeds the
19 usage maximum for that calendar year.

20 **3. Usage reports.** A generation service provider shall file with the commission
21 quarterly reports identifying each data center for which it provides generation service, the
22 amount of electricity sold to each data center that quarter and any other information related
23 to the electricity consumption of the data center that the commission may require by rule.
24 The report must include the total amount of electricity sold to all of the generation service
25 provider's customers.

26 **4. Violations.** A generation service provider that violates this section is subject to
27 administrative penalties in accordance with section 1508-A.

28 **5. Rules.** The commission may adopt rules to implement this section. Rules adopted
29 by the commission pursuant to this subsection are routine technical rules as defined in Title
30 5, chapter 375, subchapter 2-A.

31 **SUMMARY**

32 This bill prohibits an entity providing generation service to data centers in the State
33 from providing an amount of electricity that is more than 25% of the amount of electricity
34 sold to all of the entity's customers in the State in a calendar year. The prohibition does not
35 apply to a generation service provider that is providing generation service behind the meter
36 to a data center adjacent to the electricity generating facility. The bill requires generation
37 service providers to file quarterly reports with the Public Utilities Commission, including
38 information about data centers that are receiving service from the generation service
39 provider. The Public Utilities Commission may adopt routine technical rules to implement
40 the requirements of this legislation.