



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1317

S.P. 547

In Senate, March 27, 2025

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**An Act to Promote Responsible, Cost-effective Energy in Maine by  
Amending the Tariff Rates Applicable to the Commercial and  
Institutional Net Energy Billing Program**

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Reference to the Committee on Energy, Utilities and Technology suggested 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 BENNETT of Oxford.  
Cosponsored by Senators: BICKFORD of Androscoggin, HARRINGTON of York,  
Representative: WADSWORTH of Hiram.

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

2 **Sec. 1. 35-A MRSA §3209-B, sub-§5, ¶A**, as amended by PL 2021, c. 659, §19,  
3 is further amended to read:

4 A. ~~The~~ Prior to January 1, 2026, the tariff rate for a customer participating in net energy  
5 billing with a distributed generation resource described in this paragraph must equal  
6 the standard-offer service rate established under section 3212 that is applicable to the  
7 customer receiving the credit plus 75% of the effective transmission and distribution  
8 rate for the rate class that includes the smallest commercial customers of the investor-  
9 owned transmission and distribution utility. The tariff rate under this paragraph applies  
10 to net energy billing with a distributed generation resource:

11 (1) With a nameplate capacity of greater than one megawatt if:

12 (a) The entity developing the distributed generation resource certifies by  
13 affidavit with accompanying documentation to the commission that the entity,  
14 before September 1, 2022, commenced on-site physical work of a significant  
15 nature on the distributed generation resource and the entity has made and will  
16 continue to make continuous on-site construction efforts to advance toward  
17 completion of the distributed generation resource. For the purpose of this  
18 paragraph, continuous on-site construction efforts include, but are not limited  
19 to, in the context of a solar facility, the continuous installation of racks or other  
20 structures to affix photovoltaic panels, collectors or solar cells to a site. The  
21 commission may share information contained in the affidavit submitted in  
22 accordance with this paragraph with a transmission and distribution utility, as  
23 necessary, to verify a distributed generation resource's compliance with this  
24 section. In administering this subsection, the commission may adopt rules  
25 including, but not limited to, requiring the entity that submits a sworn affidavit  
26 under this subparagraph to provide updated documentation to the commission  
27 after submission of the affidavit; or

28 (b) The distributed generation resource is collocated with a net energy billing  
29 customer that is or net energy billing customers that are subscribed to at least  
30 50% of the facility's output; or

31 (2) With a nameplate capacity of one megawatt or less.

32 **Sec. 2. 35-A MRSA §3209-B, sub-§5, ¶A-1**, as enacted by PL 2021, c. 659, §19,  
33 is amended to read:

34 A-1. ~~The~~ Prior to January 1, 2026, the tariff rate for a customer participating in net  
35 energy billing under this section with a distributed generation resource not governed  
36 by paragraph A must: equal the standard-offer service rate established pursuant to  
37 section 3212 that was applicable to the rate class of the customer receiving the credit  
38 on December 31, 2020 plus 75% of the effective transmission and distribution rate that  
39 was in effect on December 31, 2020 for the rate class that includes the smallest  
40 commercial customers of the investor-owned transmission and distribution utility and  
41 be increased by 2.25% on January 1, 2023, January 1, 2024 and January 1, 2025.

42 (1) ~~In 2022, equal the standard-offer service rate established pursuant to section~~  
43 ~~3212 that was applicable to the rate class of the customer receiving the credit on~~

