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Legislative Document

No. 1860

S.P. 730

In Senate, May 5, 2025

An Act to Allow Certain Distributed Energy Resources to Participate in the State's Net Energy Billing Program

(EMERGENCY)

Received by the Secretary of the Senate on May 1, 2025. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in dark ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LAWRENCE of York.
Cosponsored by Representative GUERRETTE of Caribou and
Representative: BABIN of Fort Fairfield.

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the State is committed to sourcing 100% of its electric supply from renewable energy by 2040; and

Whereas, in 2019, the State enacted a net energy billing program under which eligible facilities must meet specific completion criteria, including achieving commercial operation dates by December 31, 2024; and

Whereas, the net energy billing program provides a good-cause exemption if an entity experienced external delays outside of its control; and

Whereas, Ameresco Solar, LLC and Nordic Sun Energy, LLC independently built distributed generation resources in Ellsworth and Presque Isle, respectively; and

Whereas, Ameresco Solar, LLC's 1.99-megawatt project missed the deadline set forth in the Maine Revised Statutes, Title 35-A, section 3209-A, subsection 9 due to external delays caused by Versant Power's lengthening procurement lead time for its interconnection equipment after Ameresco began constructing the project; and

Whereas, Nordic Sun Energy, LLC's 3-megawatt project experienced external delays in Versant Power's transmission impact study that prevented execution of its interconnection agreement and the start of its initial impact study as required to satisfy the Maine Revised Statutes, Title 35-A, section 3209-A, subsection 7, paragraphs A to E; and

Whereas, both projects were constructed and mechanically complete in advance of the December 31, 2024 deadline to achieve commercial operation and immediate operation of the projects is necessary to achieving the State's goal of sourcing 100% of its electricity from renewable sources by 2040; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Eligible to participate. Notwithstanding the requirements set forth in the Maine Revised Statutes, Title 35-A, section 3209-A, subsections 7 and 9, or any prior eligibility determination, the distributed generation resources located in Ellsworth at 889 Bucksport Road and at interconnection queue number 148 and in Presque Isle at 14 State Road at interconnection queue number 214 are eligible to participate in the net energy billing program under Title 35-A, sections 3209-A and 3209-B, beginning on the date that each project commences commercial operation.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This bill authorizes 2 distributed generation resources to participate in the State's net energy billing program, despite the projects' failure to meet certain participation criteria.