



# 132nd MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2025

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Legislative Document

No. 1964

S.P. 771

In Senate, May 13, 2025

**An Act to Require the Development of a Standard Written Disclosure for Sellers and Installers of Distributed Generation Resources, to Make Changes to Other Standard Disclosures and to Make Misrepresentation in the Sale of Electricity Products an Unfair Trade Practice**

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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 BLACK of Franklin.  
Cosponsored by Representative: FOSTER of Dexter.

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

2 **Sec. 1. 10 MRSA §1250-M** is enacted to read:

3 **§1250-M. False representation in sale of electricity product**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Competitive electricity provider" has the same meaning as in Title 35-A, section  
7 3201, subsection 5.

8 B. "Distributed generation resource" has the same meaning as in Title 35-A, section  
9 3481, subsection 5.

10 C. "Electricity product" means a distributed generation resource, energy supply by a  
11 competitive electricity provider or a similar resource. "Electricity product" does not  
12 include an electrical appliance, machinery or equipment or building efficiency services  
13 or products.

14 D. "Electric utility" means a transmission and distribution utility as defined in Title  
15 35-A, section 102, subsection 20-B.

16 **2. False representation in sale of electricity product.** A person may not falsely  
17 represent the person as a representative of, as an affiliate of or as being in any way affiliated  
18 with an electric utility or as a representative of, as an official of or acting in an official  
19 capacity on behalf of a governmental agency or program, unless expressly permitted by the  
20 electric utility or governmental agency or program, when selling, offering to sell, leasing,  
21 installing or entering into any other financial arrangement regarding an electricity product.

22 **3. Unfair trade practice.** A violation of this section constitutes a violation of the  
23 Maine Unfair Trade Practices Act.

24 **Sec. 2. 35-A MRSA §3203, sub-§4, ¶G-1,** as enacted by PL 2021, c. 108, §5 and  
25 reallocated by RR 2021, c. 2, Pt. A, §123, is amended to read:

26 G-1. May not enter, or allow any of the provider's 3rd-party sales agents on the  
27 provider's behalf, to enter, into an agreement to provide service to a residential or small  
28 commercial consumer when that service is solicited ~~using door-to-door sales~~ without  
29 providing the consumer with a standard disclosure form, in a format prescribed by the  
30 commission by rule, that meets the requirements of this paragraph. The standard  
31 disclosure form requirements include, but are not limited to, the following:

- 32 (1) A type size that is no less than 14 points;
- 33 (2) Contact information, including the telephone numbers for the competitive  
34 electricity provider, the commission and the Office of the Public Advocate;
- 35 (3) A telephone number and publicly accessible website where the consumer may  
36 obtain information on the current standard-offer service rate and expiration date  
37 and the publicly accessible website for electricity supply information available  
38 through the Office of the Public Advocate;
- 39 (4) Information regarding the consumer's right to rescind service as provided in  
40 paragraph C;

1 (5) The When applicable, the registration number of the 3rd-party sales agent  
2 issued by the commission pursuant to subsection 2 and any transient seller's license  
3 number issued by the Department of Professional and Financial Regulation  
4 pursuant to Title 32, chapter 128, subchapter 2; and

5 (6) Any other information the commission determines is necessary; and

6 (7) For a residential consumer, information regarding consumer protections under  
7 subsection 4-B; and

8 **Sec. 3. 35-A MRSA §3209-A, sub-§5, ¶B**, as enacted by PL 2021, c. 107, §2, is  
9 amended to read:

10 B. Must provide to a residential customer ~~such information as the commission may~~  
11 ~~require by rule or order in a standard disclosure form~~ before entering into an agreement  
12 with the residential customer to participate in a net energy billing arrangement based  
13 upon a shared financial interest in a distributed generation resource; a standard  
14 disclosure form, in a format prescribed by the commission by rule, which must include,  
15 but is not limited to, the following:

16 (1) The name and telephone number of the project sponsor or the project sponsor's  
17 representative;

18 (2) The name and location of the project;

19 (3) Information regarding billing by the project sponsor and information on how  
20 net energy billing works; and

21 (4) Any other information the commission determines is necessary;

22 **Sec. 4. 35-A MRSA §3209-A, sub-§5**, as enacted by PL 2021, c. 107, §2, is  
23 amended by enacting at the end a new first blocked paragraph to read:

24 Notwithstanding any provision of this section to the contrary, rules adopted by the  
25 commission pursuant to this subsection are routine technical rules as defined in Title 5,  
26 chapter 375, subchapter 2-A.

27 **Sec. 5. 35-A MRSA §3218** is enacted to read:

28 **§3218. Standard written disclosure for sale or installation of distributed generation**  
29 **resources**

30 **1. Standard written disclosure.** A person who sells and installs distributed  
31 generation resources shall prior to a sale provide to the customer a completed standard  
32 written disclosure as prescribed by the Attorney General. For the purposes of this section,  
33 "distributed generation resource" has the same meaning as in section 3209-A, subsection  
34 1, paragraph B.

35 **2. Disclosure requirements; rules.** The Attorney General shall adopt rules to carry  
36 out the purposes of this section. The rules must include a standard written disclosure for  
37 the sale and installation of a distributed generation resource. The standard written  
38 disclosure requirements include, but are not limited to, the following:

39 A. The name of the seller and contact information of the seller or a representative of  
40 the seller and the name of the facility;



1           The bill requires the Attorney General to develop by rule a standard written disclosure  
2 to be provided to customers by persons who sell or install distributed generation resources  
3 and provides information that must be included in the standard written disclosure.