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ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 688, L.D. 1724, “An Act to Enact the Beneficial Electrification Policy Act”

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 35-A MRSA c. 38 is enacted to read:

CHAPTER 38

BENEFICIAL ELECTRIFICATION POLICY ACT

§3801. Short title

This chapter may be known and cited as "the Beneficial Electrification Policy Act."

§3802. Definitions

For the purposes of this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Beneficial electrification. "Beneficial electrification" has the same meaning as in section 10102, subsection 3-A.

2. Office. "Office" means the Governor's Energy Office.

3. Renewable resource. "Renewable resource" has the same meaning as in section 3210, subsection 2, paragraph C.

4. Trust. "Trust" means the Efficiency Maine Trust.

§3803. Support for policy of beneficial electrification

1. Petition for renewable resources procurement. The office may petition the commission to procure energy from renewable resources to achieve the emission reduction

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1 and renewable energy goals of the State and to meet reasonably expected growth in electric
2 demand.

3 A. In developing a petition for procurement of energy from renewable resources, the
4 office shall consult with relevant departments and agencies.

5 B. The commission shall evaluate a petition submitted by the office in accordance with
6 section 3804 and may through a competitive procurement process established by the
7 commission by rule procure energy from one or more renewable resources. The
8 commission may direct a transmission and distribution utility to enter into a long-term
9 contract for the energy procured. Rules adopted to implement this paragraph are routine
10 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

11 **2. Plan for promoting beneficial electrification for end uses of energy.** The trust
12 shall develop a 3-year beneficial electrification plan for end uses of energy as part of the
13 trust's triennial plan in accordance with section 10104, subsection 4 and provide annual
14 updates to the plan in accordance with section 10104, subsection 6. In developing its
15 beneficial electrification plan for end uses, the trust shall consult with relevant departments
16 and agencies.

17 **3. Funding and reporting.** Notwithstanding sections 116 and 117, at the request of
18 the office, the commission may transfer money from funds in the Public Utilities
19 Commission Regulatory Fund or the Public Utilities Commission Reimbursement Fund to
20 the office to pay for the costs associated with a petition for a procurement of energy from
21 renewable resources under subsection 1 and, at the request of the trust, to the trust to
22 implement the 3-year beneficial electrification plan included in the triennial plan under
23 subsection 2. At the end of any year in which the commission has transferred money under
24 this subsection to the office or the trust, the office or the trust, respectively, shall provide a
25 report to the commission detailing its fund requests, money received and expenditures.

26 **4. Monitoring beneficial electrification trends and opportunities.** To the extent
27 possible through readily available information, the office, the commission and the trust
28 shall coordinate to monitor:

29 A. All beneficial electrification activity in the State and the effect of the commission's
30 actions under section 3804;

31 B. Trends in beneficial electrification in the State and in other jurisdictions; and

32 C. The estimated costs and benefits for ratepayers of beneficial electrification
33 programs occurring as a result of this chapter and other programs that have been
34 implemented in the State.

35 **§3804. Commission advancement of clean energy and beneficial electrification**

36 The commission shall advance through its decisions and orders beneficial
37 electrification in order to achieve the emission reduction and renewable energy goals of the
38 State, reduce energy costs to consumers and provide economic and climate benefits for all
39 ratepayers. The commission shall seek to procure energy under section 3803, subsection 1,
40 paragraph B in a manner that is consistent with beneficial electrification. To the extent
41 practicable, the commission shall seek to ensure that the acquisition of energy from
42 renewable resources under section 3803, subsection 1, paragraph B is designed to procure
43 sufficient energy to meet the portfolio requirements under section 3210 for the reasonably
44 expected increase in use of electricity by retail electricity consumers.

1 **§3805. Reporting**

2 **1. Commission report.** The commission shall include in its annual report under section
3 120, subsection 7 a summary of its activities in accordance with this chapter.

4 **2. Office report.** The office shall include in its annual report under Title 2, section 9,
5 subsection 3, paragraph C-1 a summary of its activities in accordance with this chapter.

6 **3. Trust report.** The trust shall include in its annual report under section 10104,
7 subsection 5 a summary of its activities in accordance with this chapter.

8 **Sec. 2. 35-A MRSA §10102, sub-§3-A,** as enacted by PL 2019, c. 365, §1, is
9 amended to read:

10 **3-A. Beneficial electrification.** "Beneficial electrification" means electrification of a
11 technology or process that results in reduction in the use of a fossil fuel, including
12 electrification of a technology or process that would otherwise require energy from a fossil
13 fuel, and that provides a benefit to a utility, a ratepayer or the environment, without causing
14 harm to utilities, ratepayers or the environment, by improving the efficiency of the
15 electricity grid or reducing consumer costs or emissions, including carbon emissions.

16 **Sec. 3. 35-A MRSA §10104, sub-§2, ¶C,** as enacted by PL 2009, c. 372, Pt. B,
17 §3, is amended to read:

18 C. The efficiency with which programs are planned, designed, overseen and delivered
19 is maximized; ~~and~~

20 **Sec. 4. 35-A MRSA §10104, sub-§2, ¶D,** as enacted by PL 2009, c. 372, Pt. B,
21 §3, is amended to read:

22 D. Sufficient checks and balances are provided to ensure consistency with public
23 policy and accountability for meeting the principles set out in paragraphs A to C ~~and E~~
24 so that energy efficiency programs in the State are sustainable for the long term; and

25 **Sec. 5. 35-A MRSA §10104, sub-§2, ¶E** is enacted to read:

26 E. Programs are planned and implemented to advance the policy of beneficial
27 electrification as described in chapter 38.

28 **Sec. 6. 35-A MRSA §10110, sub-§4-A, ¶B,** as amended by PL 2019, c. 313, §8,
29 is further amended by amending the first blocked paragraph to read:

30 The trust shall use, and the commission shall give deference to, values for each element
31 of avoided energy cost from a regional avoided energy supply cost study as long as the
32 analysis has been developed through a transparent process, with input from state
33 agencies, public advocates, utilities or energy efficiency administrators from at least 3
34 other states in New England and the analysis has been published not more than 24
35 months prior to the trust's filing of the plan. When values specific to the State are not
36 available in the regional study, the trust may use, and the commission shall give
37 deference to, regional values provided in that regional study or values determined from
38 other sources when supported by evidence in the record; ~~and~~

39 **Sec. 7. 35-A MRSA §10110, sub-§4-A, ¶C,** as enacted by PL 2013, c. 369, Pt. A,
40 §20 and affected by §30, is amended to read:

41 C. Maximize total electricity savings for all ratepayers; and

