

Date:

(Filing No. S- )

**ENERGY, UTILITIES AND TECHNOLOGY**

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE**

**SENATE**

**132ND LEGISLATURE**

**FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 730, L.D. 1860, “An Act to Allow Certain Distributed Energy Resources to Participate in the State's Net Energy Billing Program”

Amend the bill by striking out the title and substituting the following:

**'An Act to Allow for a Competitive Solicitation of Energy Projects Under 5 Megawatts'**

Amend the bill by striking out all of the emergency preamble.

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

**'Sec. 1. 35-A MRSA §3210-K** is enacted to read:

**§3210-K. Distributed generation resource procurement; mechanical completion**

**1. Definitions.** As used in this section, the following terms have the following meanings.

A. "Distributed generation resource" has the same meaning as in section 3209-A, subsection 1, paragraph B.

B. "Eligible generator" means a distributed generation resource with a nameplate capacity of less than 5 megawatts that reached mechanical completion before January 1, 2025.

C. "Mechanical completion" means, with respect to a distributed generation resource, fully physically constructed and ready for operation.

**2. Competitive procurement.** The commission shall direct investor-owned transmission and distribution utilities to enter into one or more contracts for energy or renewable energy credits or both from eligible generators in accordance with this section. The commission may not require an eligible generator to contract for the sale of energy or renewable energy credits under this section.

A. By November 1, 2025, the commission shall initiate a competitive solicitation for contracts under this section for energy or renewable energy credits or both in an amount determined by the commission.

B. The commission may not award a contract to an eligible generator at a rate that exceeds 65% of the tariff rate calculated under section 3209-B, subsection 5, paragraph A-1 applicable on January 1, 2025 to medium commercial customers or industrial customers in the transmission and distribution service territory in which the eligible generator is located.

**3. Contract terms.** A contract entered into pursuant to this section must be for a term of no more than 20 years, unless the commission finds a contract for a longer term to be prudent.

**4. Rules.** The commission may adopt rules to implement this section. Rules adopted in accordance with this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment replaces the bill, changes the title and removes the emergency preamble and clause. It requires the Public Utilities Commission, by November 1, 2025, to initiate a competitive solicitation for contracts for energy or renewable energy credits or both from distributed generation resources with a nameplate capacity of less than 5 megawatts that have reached mechanical completion before January 1, 2025. The commission may not award a contract at a rate that exceeds 65% of the tariff rate calculated under the Maine Revised Statutes, Title 35-A, section 3209-B, subsection 5, paragraph A-1 applicable on January 1, 2025 to medium commercial customers or industrial customers in the transmission and distribution service territory in which the eligible generator is located.

**FISCAL NOTE REQUIRED**

**(See attached)**