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Date: (Filing No. H- )

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
SECOND REGULAR SESSION**

HOUSE AMENDMENT “ ” to COMMITTEE AMENDMENT “C” to H.P. 764, L.D. 1026, “An Act To Update the Regulation of Public Utility Monopolies”

Amend the amendment in section 19 in subsection 5 in paragraph A in subparagraph (1) by striking out all of division (a) (page 6, lines 37 to 44 in amendment) and inserting the following:

'(a) The entity developing the distributed generation resource certifies by affidavit with accompanying documentation to the commission that the entity, before September 1, 2022, commenced on-site physical work of a significant nature on the distributed generation resource and thereafter the entity has made and will continue to make continuous on-site construction efforts to advance toward completion of the distributed generation resource. For the purposes of this division, "continuous on-site construction efforts" includes, for a solar array or installation, the continuous installation of racks or other structures to affix photovoltaic panels, collectors or solar cells to a site. The commission may share information contained in an affidavit submitted in accordance with this division with a transmission and distribution utility, as necessary, to verify a distributed generation resource's compliance with this division. In administering this division, the commission may adopt rules including, but not limited to, requiring an entity that submitted an affidavit under this division to provide updated documentation to the commission 12 months after submission of the affidavit; or'

Amend the amendment in section 19 in subsection 5 in paragraph A-1 by striking out all of subparagraph (2) (page 7, lines 13 and 14 in amendment) and inserting the following:

'(2) Increase by 2.25% annually on January 1st, beginning January 1, 2023.'

Amend the amendment in section 19 in subsection 5 by striking out all of paragraph A-2 (page 7, lines 15 to 21 in amendment).

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

**HOUSE AMENDMENT**

**SUMMARY**

This amendment amends Committee Amendment "C" by amending the provisions relating to net energy billing in the following ways.

1. It amends the provision in the committee amendment relating to affidavits that are required to be submitted for a distributed energy resource in order to be eligible for the new tariff rate established in the committee amendment by describing the type of activities relating to solar arrays and installations that constitute "continuous on-site construction efforts," authorizing the Public Utilities Commission to share information in an affidavit, as necessary, with a transmission and distribution utility and authorizing the Public Utilities Commission to adopt rules relating to the affidavit requirements.

2. It replaces the provision in the committee amendment that requires that tariff rates be adjusted for inflation and replaces it with a provision that requires that the tariff rates increase annually by 2.25% beginning January 1, 2023.

3. It removes the provision in the committee amendment that provides for a one-time election for a distributed energy resource to receive the new tariff rate.

**SPONSORED BY:** \_\_\_\_\_

**(Representative CUDDY, S.)**

**TOWN: Winterport**