### STATE OF MAINE 130<sup>th</sup> Legislature Second Regular Session



Disposition of bills and summaries of all laws enacted or finally passed

### JOINT STANDING COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

July 2022

<u>Members</u>: Sen. Mark W. Lawrence, Chair Sen. Eloise A. Vitelli Sen. Harold "Trey" L. Stewart, III

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### Joint Standing Committee on Energy, Utilities and Technology

### **SUBJECT INDEX**

### Agency Matters - PUC/OPA/GEO/EMT

| Enacted        |             |  |                        |
|----------------|-------------|--|------------------------|
|                | LD 337      | An Act Regarding the Powers of the Efficiency Maine Trust and the Maine Clean Energy and Sustainability Accelerator  | PUBLIC 600             |
| Not<br>Enacted | LD 2015     | An Act To Update the Comprehensive State Energy Plan To Achieve<br>the State Energy Vision   | Died Between<br>Houses |
|                | <u>Broa</u> | dband/ConnectME Authority/Maine Connectivity Autho   | <u>rity</u>            |
| Enacted        |             |  |                        |
|                | LD 1107     | Resolve, Directing the Maine Connectivity Authority To Take Further<br>Actions To Bring High-speed Broadband to Unserved Areas   | RESOLVE 161            |
|                | LD 1894     | An Act To Support Municipal Broadband Infrastructure through<br>Incentives and Competition   | PUBLIC 616             |
| Not            |             |  |                        |
| Enacted        | LD 1555     | An Act To Fund Broadband Internet Infrastructure for Marginalized Groups in the State  | Died On<br>Adjournment |
|                |             | F011   |                        |
| <b>D</b> ( 1   |             | <u>E911</u>  |                        |
| Enacted        | LD 2016     | Resolve, To Implement the Crisis Response Services<br>Recommendations Identified Pursuant to Resolve 2021, Chapter 29  | RESOLVE 162            |
|                |             | <u>Electricity</u>   |                        |
| Enacted        |             |  |                        |
|                | LD 318      | Resolve, To Direct the Office of the Public Advocate To Study<br>Reforming Maine's System of Retail Electricity Supply To Provide<br>More Options to Maine Customers and Support Maine's Climate Goals | RESOLVE 164            |
|                | LD 682      | Resolve, To Monitor Northern and Rural Energy  | RESOLVE 158            |
|                | LD 1959     | An Act Regarding Utility Accountability and Grid Planning for<br>Maine's Clean Energy Future   | PUBLIC 702             |
|                | LD 2017     | Resolve, Regarding Monitoring of and Reporting on Energy Use Data<br>Standards and Online Energy Data Platforms  | RESOLVE 179            |
| Not            |             |  |                        |
| Enacted        | LD 170      | An Act Pertaining to Transmission Lines Not Needed for Reliability or Local Generation   | Veto Sustained         |

|                | LD 697  | An Act To Enhance the Energy Security of Maine Residents  | Minority (ONTP)<br>Report |
|----------------|---------|---|---------------------------|
|                | LD 1079 | Resolve, To Review the Effects of the Deregulation of Maine Utilities   | Majority (ONTP)<br>Report |
|                | LD 1409 | An Act Regarding High-impact Electric Transmission Lines  | ONTP                      |
|                | LD 1511 | An Act To Finance Distribution Investments at the Lowest Cost to Customers and To Encourage Utility Performance                                     | Died On<br>Adjournment    |
|                | LD 1587 | An Act To Remove the Municipal Ordinance Exemption for the<br>Development of Nonessential Transmission Lines  | ONTP                      |
|                | LD 1634 | An Act To Create the Maine Generation Authority   | Died Between<br>Houses    |
|                |         | <b>Electricity Rates/Consumer Protection</b>  |                           |
| Enacted        |         |   |                           |
|                | LD 1847 | An Act To Prohibit a Public Utility from Terminating or Disconnecting<br>Service to a Public Safety Facility without Advance Notice and<br>Approval | PUBLIC 586                |
|                | LD 1913 | An Act To Create the Electric Ratepayer Advisory Council  | PUBLIC 623                |
|                |         | <u>Energy Efficiency</u>  |                           |
| Enacted        |         |   |                           |
|                | LD 1554 | An Act To Provide Climate Change Transition Assistance for Maine's<br>Energy-intensive Businesses   | PUBLIC 716                |
| Not<br>Enacted |         |   |                           |
| Enacteu        | LD 551  | An Act To Accelerate Weatherization Efforts in the State  | Died On<br>Adjournment    |
|                |         | <u>Energy Planning</u>  |                           |
| Enacted        |         |   |                           |
|                | LD 1959 | An Act Regarding Utility Accountability and Grid Planning for<br>Maine's Clean Energy Future  | PUBLIC 702                |
| Not            |         |   |                           |
| Enacted        | LD 82   | Resolve, To Provide for Participation of the State in the Planning and<br>Negotiations for the Atlantic Loop Energy Project                         | ONTP                      |
|                |         | <u>Miscellaneous</u>  |                           |
| Enacted        | LD 1579 | An Act To Transition State and Local Motor Vehicle Fleets to Plug-in  | PUBLIC 693                |
|                |         | Hybrid Vehicles and Zero-emission Vehicles  |                           |

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### Net Energy Billing

| Enacted        |         |  |                        |
|----------------|---------|--|------------------------|
|                | LD 634  | An Act To Reduce Volatility in the Net Energy Billing Program and To<br>Define "Competitive Electricity Provider"                    | PUBLIC 659             |
| Not<br>Enacted | LD 1026 | An Act To Update the Regulation of Public Utility Monopolies   | Died On<br>Adjournment |
|                | LD 1819 | An Act To Define "Discrete Electric Generating Facility"   | ONTP                   |
|                | LD 1955 | An Act To Facilitate Net Energy Billing  | ONTP                   |
|                |         | <b>Renewable Resources</b>   |                        |
| Enacted        | LD 1202 | An Act To Establish a Wood-fired Combined Heat and Power Program   | PUBLIC 604             |
| Not<br>Enacted | LD 1350 | An Act To Expand Maine's Clean Energy Economy  | Died On<br>Adjournment |
|                |         | <u>Utilities - General</u>   |                        |
| Enacted        | LD 634  | An Act To Reduce Volatility in the Net Energy Billing Program and To Define "Competitive Electricity Provider"                       | PUBLIC 659             |
| Not<br>Enacted | LD 1026 | An Act To Update the Regulation of Public Utility Monopolies   | Died On<br>Adjournment |
|                |         | Water/Sewer/Sanitary - General   |                        |
| Enacted        | LD 245  | An Act Regarding Consumer-owned Water Utilities  | PUBLIC 711             |
|                |         | Water/Sewer/Sanitary Charters  |                        |
| Enacted        | LD 1760 | An Act To Amend the Charter of the Boothbay Harbor Sewer District<br>To Set the Terms of Its Trustees at 3 Years                     | P & S 13               |
|                | LD 1814 | An Act To Transfer the St. Francis Water District to the Town of St.<br>Francis and To Repeal the St. Francis Water District Charter | P & S 16               |
|                | LD 1829 | An Act To Amend the Charter of the Ogunquit Sewer District   | P & S 15               |
|                | LD 1949 | An Act To Amend the Caribou Utilities District Charter To Include<br>Broadband Services  | P & S 18               |
|                | LD 1967 | An Act To Amend the Charter of the Gray Water District   | P & S 19               |
|                | LD 2033 | An Act To Raise the Debt Limit of the Eagle Lake Water and Sewer District  | P & S 21               |

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| <b>PL</b> = Public Law         |
|--------------------------------|
| P&SL = Private and Special Law |
| <b>RESLV</b> = Resolve         |
|                                |

Enacted Law

|      | <u>۶1/</u> |  |              |                 |  |                                |  | Enacted Law |     |                  |  |  |
|------|------------|--|--------------|-----------------|--|--------------------------------|--|-------------|-----|------------------|--|--|
| Comm | LD         | Title  | Comm         | Action          | Carried Over<br><i>from</i> Prior<br>Year? | Date of Last<br>Comm<br>Action | Final Disposition                                  | Law         | Ch  | Analyst<br>Note? |  |  |
| EUT  |            | Resolve, To Provide for Participation of the State in the Planning and<br>Negotiations for the Atlantic Loop Energy Project  | Reported Out | ONTP            | Carried Over<br>In Comm                    | 1/3/22                         | Ought Not to Pass<br>Pursuant to Joint<br>Rule 310 |             |     |                  |  |  |
| EUT  |            | An Act Pertaining to Transmission Lines Not Needed for Reliability or Local Generation   | Reported Out | OTP-AM/<br>ONTP | Carried Over<br>In Comm                    | 4/5/22                         | Veto Sustained                                     |             |     |                  |  |  |
| EUT  | 245        | An Act Regarding Consumer-owned Water Utilities  | Reported Out | OTP-AM          | Carried On<br>Approps<br>Table             | 6/7/21                         | Enacted  | PL          | 711 |                  |  |  |
| EUT  | 318        | Resolve, To Direct the Office of the Public Advocate To Study Reforming<br>Maine's System of Retail Electricity Supply To Provide More Options to<br>Maine Customers and Support Maine's Climate Goals |              | OTP-AM/         | Carried Over<br>In Comm                    | 4/4/22                         | Finally Passed                                     | RESLV       | 164 |                  |  |  |
| EUT  |            | An Act Regarding the Powers of the Efficiency Maine Trust and the<br>Maine Clean Energy and Sustainability Accelerator   | Reported Out |                 | Carried Over<br>In Comm                    | 4/4/22                         | Enacted  | PL          | 600 |                  |  |  |
| EUT  |            | An Act To Accelerate Weatherization Efforts in the State   | ·            | OTP-AM/         | Carried On<br>Approps<br>Table             | 6/3/21                         | Died On<br>Adjournment                             |             |     |                  |  |  |
| EUT  | 634        | An Act To Reduce Volatility in the Net Energy Billing Program and To<br>Define "Competitive Electricity Provider"  | Reported Out | OTP-AM/<br>ONTP | Carried Over<br>In Comm                    | 4/8/22                         | Enacted  | PL          | 659 |                  |  |  |
| EUT  | 682        | Resolve, To Monitor Northern and Rural Energy  | Reported Out | OTP-AM          | Carried Over<br>In Comm                    | 4/11/22                        | Finally Passed                                     | RESLV       | 158 |                  |  |  |
| EUT  | 697        | An Act To Enhance the Energy Security of Maine Residents   | Reported Out | OTP-AM/<br>ONTP | Carried Over<br>In Comm                    | 4/5/22                         | Accepted<br>Minority (ONTP)<br>Report              |             |     |                  |  |  |

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|                                |

Enacted Law

| LIICI | 611  | otinities and rechnology (LOT)  |                   |         |  |                                |                   | Enacte |     |                  |
|-------|------|---|-------------------|---------|--|--------------------------------|-------------------|--------|-----|------------------|
| Comm  | LD   | Title   | Comm              | Action  | Carried Over<br><i>from</i> Prior<br>Year? | Date of Last<br>Comm<br>Action | Final Disposition | Law    | Ch  | Analyst<br>Note? |
|       |      |   |                   | OTP-AM/ |  |                                |                   |        |     |                  |
|       |      |   |                   | OTP-AM/ |  |                                |                   |        |     |                  |
|       |      |   |                   | OTP-AM/ | Carried Over                               |                                | Died On           |        |     |                  |
| EUT   | 1026 | An Act To Update the Regulation of Public Utility Monopolies          | Reported Out      | ONTP    | In Comm                                    | 4/15/22                        | Adjournment       |        |     |                  |
|       |      |   |                   |         |  |                                | Accepted          |        |     |                  |
|       |      |   |                   | ONTP/   | Carried Over                               |                                | Majority (ONTP)   |        |     |                  |
| EUT   | 1079 | Resolve, To Review the Effects of the Deregulation of Maine Utilities | Reported Out      | OTP-AM  | In Comm                                    | 3/31/22                        | Report            |        |     |                  |
|       |      | Deschus Direction the Maine Compactivity Authority To Talls Further   |                   |         | Considered Original                        |                                |                   |        |     |                  |
| FUT   | 1107 | Resolve, Directing the Maine Connectivity Authority To Take Further   | Demonstration Out |         | Carried Over                               |                                | Cinelly Dessed    | RESLV  | 161 |                  |
| EUT   | 1107 | Actions To Bring High-speed Broadband to Unserved Areas               | Reported Out      |         | In Comm                                    | 4/1/22                         | Finally Passed    | RESLV  | 161 |                  |
|       |      |   |                   |         | Carried Over                               |                                |                   |        |     |                  |
| EUT   | 1202 | An Act To Establish a Wood-fired Combined Heat and Power Program      | Reported Out      | OTP-AM  | In Comm                                    | 4/5/22                         | Enacted           | PL     | 604 |                  |
| LUT   | 1202 |   |                   | OTP-AM/ |  | 7/3/22                         | Endeted           |        | 004 |                  |
|       |      |   |                   | OTP-AM/ | Carried Over                               |                                | Died On           |        |     |                  |
| EUT   | 1350 | An Act To Expand Maine's Clean Energy Economy                         | Reported Out      | - /     | In Comm                                    | 4/12/22                        | Adjournment       |        |     |                  |
|       |      |   |                   | -       |  |                                | .,                |        |     |                  |
|       |      |   |                   |         |  |                                | Ought Not to Pass |        |     |                  |
|       |      |   |                   |         | Carried Over                               |                                | Pursuant to Joint |        |     |                  |
| EUT   | 1409 | An Act Regarding High-impact Electric Transmission Lines              | Reported Out      | ONTP    | In Comm                                    | 1/3/22                         | Rule 310          |        |     |                  |
|       |      |   |                   |         |  |                                |                   |        |     |                  |
|       |      | An Act To Finance Distribution Investments at the Lowest Cost to      |                   | ONTP/   | Carried Over                               |                                | Died On           |        |     |                  |
| EUT   | 1511 | Customers and To Encourage Utility Performance                        | Reported Out      | OTP-AM  | In Comm                                    | 4/11/22                        | Adjournment       |        |     |                  |
|       |      |   |                   |         | Carried On                                 |                                |                   |        |     |                  |
|       |      | An Act To Provide Climate Change Transition Assistance for Maine's    |                   | OTP-AM/ | Approps                                    |                                |                   |        |     |                  |
| EUT   | 1554 | Energy-intensive Businesses   | Reported Out      | OTP-AM  | Table                                      | 6/8/21                         | Enacted           | PL     | 716 |                  |
|       |      |   |                   |         | Carried On                                 |                                |                   |        |     |                  |
|       |      | An Act To Fund Broadband Internet Infrastructure for Marginalized     |                   | OTP-AM/ | Approps                                    |                                | Died On           |        |     |                  |
| EUT   | 1555 | Groups in the State   | Reported Out      | ONTP    | Table                                      | 6/3/21                         | Adjournment       |        |     |                  |

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| Ener | gy,  | Utilities and Technology (EUT)   |              |         |  |                                |  | Enacted Law |     |                  |
|------|------|--|--------------|---------|--|--------------------------------|--|-------------|-----|------------------|
| Comm | LD   | Title  | Comm         | Action  | Carried Over<br><i>from</i> Prior<br>Year? | Date of Last<br>Comm<br>Action | Final Disposition                                  | Law         | Ch  | Analyst<br>Note? |
|      |      | An Act To Transition State and Local Motor Vehicle Fleets to Plug-in   |              | OTP-AM/ | Carried Over                               |                                |  |             |     |                  |
| EUT  | 1579 | Hybrid Vehicles and Zero-emission Vehicles   | Reported Out | - /     | In Comm                                    | 3/31/22                        | Enacted  | PL          | 693 |                  |
| EUT  | 1587 | An Act To Remove the Municipal Ordinance Exemption for the<br>Development of Nonessential Transmission Lines                                     | Reported Out | ONTP    | Carried Over<br>In Comm                    | 3/16/22                        | Ought Not to Pass<br>Pursuant to Joint<br>Rule 310 |             |     |                  |
|      |      |  |              | ONTP/   | Carried Over                               |                                | Died Between                                       |             |     |                  |
| EUT  | 1634 | An Act To Create the Maine Generation Authority  | Reported Out | OTP-AM  | In Comm                                    | 4/11/22                        | Houses   |             |     |                  |
|      |      | An Act To Amend the Charter of the Boothbay Harbor Sewer District To   |              |         |  |                                |  |             |     |                  |
| EUT  | 1760 | Set the Terms of Its Trustees at 3 Years   | Reported Out | OTP     |  | 1/24/22                        | Enacted  | P&SL        | 13  |                  |
|      |      | An Act To Transfer the St. Francis Water District to the Town of St.   |              |         |  |                                | Emergency  |             |     |                  |
| EUT  | 1814 | Francis and To Repeal the St. Francis Water District Charter   | Reported Out | OTP-AM  |  | 3/8/22                         | Enacted  | P&SL        | 16  |                  |
| EUT  | 1819 | An Act To Define "Discrete Electric Generating Facility"   | Reported Out | ONTP    |  | 3/10/22                        | Ought Not to Pass<br>Pursuant to Joint<br>Rule 310 |             |     |                  |
| EUT  | 1829 | An Act To Amend the Charter of the Ogunquit Sewer District   | Reported Out |         |  | 1/28/22                        | Enacted  | P&SL        | 15  |                  |
| EUT  | 1847 | An Act To Prohibit a Public Utility from Terminating or Disconnecting<br>Service to a Public Safety Facility without Advance Notice and Approval | Reported Out |         |  | 3/28/22                        | Emergency<br>Enacted                               | PL          | 586 |                  |
|      |      | An Act To Support Municipal Broadband Infrastructure through   |              | OTP-AM/ |  |                                |  |             |     |                  |
| EUT  | 1894 | Incentives and Competition   | Reported Out |         |  | 3/31/22                        | Enacted  | PL          | 616 |                  |
|      |      |  |              | OTP-AM/ |  | . 10 10 5                      | Emergency  |             |     |                  |
| EUT  | 1913 | An Act To Create the Electric Ratepayer Advisory Council   | Reported Out | ONTP    | +  | 4/8/22                         | Enacted  | PL          | 623 |                  |
|      | 1040 | An Act To Amend the Caribou Utilities District Charter To Include  | Demented C   | OTD     |  | 2/10/22                        | Frankad  | D. CI       | 10  |                  |
| EUT  | 1949 | Broadband Services   | Reported Out |         |  | 3/10/22                        | Enacted  | P&SL        | 18  |                  |

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|                                |

Enacted Law

|      | 011  |   |                   |                    |  |                                |  |       |     |                  |
|------|------|---|-------------------|--------------------|--|--------------------------------|--|-------|-----|------------------|
| Comm | LD   | Title   | Comm              | Action             | Carried Over<br><i>from</i> Prior<br>Year? | Date of Last<br>Comm<br>Action | Final Disposition                                  | Law   | Ch  | Analyst<br>Note? |
| EUT  | 1955 | An Act To Facilitate Net Energy Billing   | Reported Out      | ONTP               |  | 3/22/22                        | Ought Not to Pass<br>Pursuant to Joint<br>Rule 310 |       |     |                  |
|      |      | An Act Regarding Utility Accountability and Grid Planning for Maine's   |                   | OTP-AM/<br>OTP-AM/ |  |                                |  |       |     |                  |
| EUT  |      | Clean Energy Future   | Reported Out      |                    |  | 4/13/22                        | Enacted  | PL    | 702 |                  |
| EUT  | 1967 | An Act To Amend the Charter of the Gray Water District  | Reported Out      | OTP                |  | 3/11/22                        | Enacted  | P&SL  | 19  |                  |
|      |      | An Act To Update the Comprehensive State Energy Plan To Achieve the   |                   | OTP-AM/            |  |                                | Died Between                                       |       |     |                  |
| EUT  | 2015 | State Energy Vision   | Reported Out      | ONTP               |  | 4/8/22                         | Houses   |       |     |                  |
| EUT  |      | Resolve, To Implement the Crisis Response Services Recommendations<br>Identified Pursuant to Resolve 2021, Chapter 29 | Reported Out      | OTP-AM             |  | 4/11/22                        | Finally Passed                                     | RESLV | 162 |                  |
| _    |      | Resolve, Regarding Monitoring of and Reporting on Energy Use Data   |                   |                    |  |                                | · ·  |       | -   |                  |
| EUT  | 2017 | Standards and Online Energy Data Platforms  | Reported Out      | OTP-AM             |  | 4/6/22                         | Finally Passed                                     | RESLV | 179 |                  |
| EUT  | 2022 | An Act To Raise the Debt Limit of the Eagle Lake Water and Sewer  | Dava ante di Ocat | OTD                |  | 2/20/22                        | Emergency  | DRCI  | 21  |                  |
| EUT  | 2033 | District  | Reported Out      |                    |  | 3/30/22                        | Enacted  | P&SL  | 21  |                  |

#### LD 245 An Act Regarding Consumer-owned Water Utilities

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 711 allows the Public Utilities Commission to appoint a receiver to oversee the operations of a consumer-owned water utility if after opening an investigation the commission determines that the board of the utility lacks a sufficient number of trustees to constitute a quorum. The commission may include the costs associated with appointing a receiver in the utility assessment charged to consumer-owned water utilities in accordance with Maine Revised Statutes, Title 35-A, section 116, subsection 1. The commission may adopt standards and procedures necessary for the administration of the law by rule.

#### LD 318 Resolve, To Direct the Office of the Public Advocate To Study Reforming Maine's System of Retail Electricity Supply To Provide More Options to Maine Customers and Support Maine's Climate Goals

#### ENACTED LAW SUMMARY

Resolve 2021, chapter 164 directs the Office of the Public Advocate to conduct a study of options for reforming the State's current system of retail electricity supply to provide greater competition among retail electricity supply providers and more options and protections for customers. The office must examine options relating to the State's standard offer system for facilitating the achievement of the State's climate goals and beneficial electrification. The resolve requires the Public Advocate to ensure that the study examines: methods of protecting customer rights and interests; the development and adoption of customer protections; energy supply issues related to climate change and beneficial electrification and service quality during any transition to identified standard offer alternatives. The office must consult with various stakeholders and is authorized to retain one or more consultants. At the conclusion of the study and after an opportunity for public comment on the draft study, the Public Advocate must submit a final report with any recommendations and suggested legislation to the joint standing committee of the Legislature having jurisdiction over electric utility matters by February 1, 2023. The committee may report out a bill relating to the results of the study to the 131st Legislature in 2023.

# LD 337 An Act Regarding the Powers of the Efficiency Maine Trust and the Maine Clean Energy and Sustainability Accelerator

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 600 provides that the Efficiency Maine Trust, in carrying out its duties, has the power to make agreements, obtain certifications or other representations necessary or useful for performing its powers and duties, insure or guarantee performance of obligations, contract for professional services, and acquire and dispose of real or personal property. The law

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makes changes to the Maine Clean Energy and Sustainability Accelerator finance program to allow the accelerator to lend money or otherwise extend credit through various mechanisms and to provide capital to qualified projects in the form of leases. The law also expands the description of the sources of capital for the program.

#### LD 634 An Act To Reduce Volatility in the Net Energy Billing Program and To Define "Competitive Electricity Provider"

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 659 does the following.

- 1. It limits the applicability of the tariff rate under the Maine Revised Statutes, Title 35-A, section 3209-B, subsection 5, paragraph A to distributed generation resources with a nameplate capacity of one megawatt or less and distributed generation resources with a nameplate capacity over one megawatt that are collocated with net energy billing customers subscribed to at least 50% of the facility's output or that have certified that the resources have commenced physical work of a significant nature before September 1, 2022 and will continue to make continuous on-site construction efforts to advance toward completion.
- 2. It establishes an alternative tariff rate applicable to distributed generation resources that do not qualify for the tariff rate described above.
- 3. It allows the commission to adopt rules related to the administration of the tariff rate program.
- 4. It changes the way that the minimum nameplate capacity for a distributed generation resource used in connection with residential net energy billing is stated from at least two megawatts to greater than two megawatts.
- 5. It replaces the term "competitive service provider" with "competitive electricity provider" in Maine Revised Statutes, Title 35-A.

#### LD 682 Resolve, To Monitor Northern and Rural Energy

#### ENACTED LAW SUMMARY

Resolve 2021, chapter 158 directs the Governor's Energy Office, in coordination with the Office of the Public Advocate and the Public Utilities Commission, to monitor factors that directly affect energy supply and costs in the service territory of the northern Maine independent system administrator and in other rural or geographically isolated communities in the State. The Governor's Energy Office is authorized to engage in related activities, including examining

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regulatory or utility planning processes and convening stakeholders to examine related issues. The office must report on its activities, including any findings and recommendations, to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters by February 1, 2023.

#### LD 1107 Resolve, Directing the Maine Connectivity Authority To Take Further Actions To Bring High-speed Broadband to Unserved Areas

#### ENACTED LAW SUMMARY

Resolve 2021, chapter 161 directs the Maine Connectivity Authority to seek to encourage and support regional partnerships among appropriate entities to identify and implement strategies to bring high-speed broadband to unserved areas of the State. By January 15, 2023, the authority must report to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters any federally approved plans for funding these strategies, including through the United States Department of the Treasury's Capital Projects Fund or the United States Department of Commerce, National Telecommunications and Information Administration's Broadband Equity, Access, and Deployment Program funded by the federal Infrastructure Investment and Jobs Act.

#### LD 1202 An Act To Establish a Wood-fired Combined Heat and Power Program

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 604 establishes the combined heat and power program, administered by the Public Utilities Commission, to encourage the sustainable development of combined heat and power projects that use wood fuel in the State. The law establishes the following with respect to the program:

- 1. It limits the program to 20 megawatts of net generating capacity across all projects, and the net generating capacity of each individual project may not be less than three megawatts or more than 10 megawatts;
- 2. It permits the commission to direct investor-owned transmission and distribution utilities to enter into long-term contracts with program participants located within the service territory of each utility for energy, capacity resources or renewable energy credits;
- 3. It allows consumer-owned transmission and distribution utilities, at their own option, enter into long term contracts for energy, capacity resources or renewable energy credits;
- 4. It limits long-term contracts entered into under the combined heat and power program to a contract term not greater than 20 years for a contract price may not exceed 10 cents per

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kilowatt-hour;

- 5. Requires the commission to ensure that mechanisms are established to protect electricity ratepayers over the contract term;
- 6. Requires the commission to report biennially to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding the implementation and effectiveness of the combined heat and power program and the overall development of combined heat and power program projects in the State;
- 7. Authorizes the State to give preference to electricity generated by combined heat and power projects when purchasing electricity for the State; and
- 8. Authorizes the commission to incorporate energy generated by combined heat and power projects into the supply of standard-offer service.

#### LD 1554 An Act To Provide Climate Change Transition Assistance for Maine's Energyintensive Businesses

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 716 repeals provisions governing payments from the Regional Greenhouse Gas Initiative Trust Fund, administered by the Efficiency Maine Trust, to the Public Utilities Commission during fiscal years 2017-18, 2018-19 and 2019-20.

The law directs the trust to establish an industrial climate transition initiative to develop and support climate change mitigation strategies designed to reduce greenhouse gas emissions at industrial facilities in the State. It provides a General Fund appropriation of \$500,000 in fiscal year 2022-23 to the Regional Greenhouse Gas Initiative Trust Fund to fund the establishment and activities of the trust's industrial climate transition initiative.

# LD 1579 An Act To Transition State and Local Motor Vehicle Fleets to Plug-in Hybrid Vehicles and Zero-emission Vehicles

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 693 establishes goals and timetables for State, county and municipal vehicle purchases and leases to transition to plug in hybrid electric vehicles or zero-emission vehicles. The law establishes the following goals:

1. For the Department of Administrative and Financial Services, Bureau of General Services, Central Fleet Management Division and the Department of Public Safety, combined, 50% of annual light-duty motor vehicle acquisitions will be plug-in hybrid electric vehicles and

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zero-emission vehicles by 2025 and 100% by 2030;

- 2. For counties and municipalities, 100% of annual light-duty motor vehicle acquisitions will be plug-in hybrid electric vehicles or zero-emission vehicles by 2035; and
- 3. For school bus acquisitions approved by the Commissioner of Education, at least 75% of annual purchases, contracts and leases will be zero-emission vehicles by 2035.

The law requires the Office of Policy Innovation and the Future to convene an interagency working group to develop a plan to reach the goal applicable to school bus acquisitions and to review various issues related to zero-emission school bus acquisitions including technology benefits and challenges, financing options, charging infrastructure planning, and school administrative unit education and training needs. The working group must submit its plan and report to the joint standing committee of the Legislature having jurisdiction over transportation matters. The committee may submit a bill concerning the subject matter of the report to the First Regular Session of the 131st Legislature.

The law also updates the Efficiency Maine Trust's triennial plan by increasing the goal for the number of battery electric vehicles and plug-in hybrid electric vehicles registered in Maine by 2030 from 120,000 to 220,000.

# LD 1760 An Act To Amend the Charter of the Boothbay Harbor Sewer District To Set the Terms of Its Trustees at 3 Years

#### ENACTED LAW SUMMARY

Private and Special Law 2021, chapter 13 amends the charter of the Boothbay Harbor Sewer District to establish a three-year term length for elected trustees.

Private and Special Law 2021, chapter 13 has a retroactive effective date of November 5, 2019.

# LD 1814 An Act To Transfer the St. Francis Water District to the Town of St. Francis and To Repeal the St. Francis Water District Charter

#### ENACTED LAW SUMMARY

Private and Special Law 2021, chapter 16 establishes provisions governing the dissolution of the St. Francis Water District and the assumption of the district's property, contracts and liabilities by the Town of St. Francis. It requires a referendum vote by the Town of St. Francis to be held no later than December 31, 2022 and, upon acceptance by the voters, the provisions governing the assumption of the district's property, contracts and liabilities become effective. The provision repealing the St. Francis Water District charter is effective 90 days after the adjournment of the Second Regular Session of the 131st Legislature.

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Private and Special Law 2021, chapter 16 was enacted as an emergency measure effective March 29, 2022.

#### LD 1829 An Act To Amend the Charter of the Ogunquit Sewer District

#### ENACTED LAW SUMMARY

Private and Special Law 2021, chapter 15 amends the charter of the Ogunquit Sewer District. It updates statutory cross references within the charter and revises the charter for consistency with the Standard Sewer District Enabling Act. It also increases the district's debt limit and allows the district to furnish sewerage services to parts of adjoining municipalities served by a failing or failed subsurface wastewater disposal system or septic system.

## LD 1847 An Act To Prohibit a Public Utility from Terminating or Disconnecting Service to a Public Safety Facility without Advance Notice and Approval

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 586 requires a public utility, before it terminates or disconnects a public safety facility's utility service for nonpayment of public utility rates, fees or charges, to provide at least 60 days' advance written notice to the facility of its intent to terminate or disconnect utility service and to obtain written authorization from the Public Utilities Commission and the Department of Public Safety to terminate or disconnect the utility service. It requires the commission to assess administrative penalties against public utilities that violate the law's requirements and establishes penalty amounts applicable only to these violations. It also requires the commission to adopt or amend rules to ensure that process or system changes undertaken by a public utility to comply with the law's requirements are cost effective, result in operation and maintenance costs that are prudent and reasonable and do not involve capital investment.

Public Law 2021, chapter 586 was enacted as an emergency measure effective April 12, 2022.

# LD 1894 An Act To Support Municipal Broadband Infrastructure through Incentives and Competition

#### **ENACTED LAW SUMMARY**

Public Law 2021, chapter 616 establishes a registration process administered by the Public Utilities Commission for consumer-owned public utilities seeking to provide broadband or other Internet access services to the public. Prior to exercising any authority it may have pursuant to other law, a consumer-owned public utility must register with the commission and identify a contact person knowledgeable about the proposed or planned broadband and Internet access systems activities.

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The commission must inform the consumer-owned public utility of the requirements of Title 35-A, section 713.

The law also makes changes to the Municipal Gigabit Broadband Network Access Fund including:

- 1. Authorizing the ConnectMaine Authority to award funds to provide grant matches to municipalities that are applying for grants from other sources that require fund matching;
- 2. Excepting municipalities receiving funds for grant matching purposes from the 25% cash match requirement;
- 3. Requiring municipalities receiving grant match funding to provide services to unserved community anchor institutions in the project area into which they are extending services if those unserved community anchor institutions will provide the public with access to the Internet; and
- 4. Directing the authority to engage in rulemaking to define "project area" and "unserved community anchor institutions" for the purposes of grant match funding.

The law requires the authority, in consultation with the commission and the Office of the Public Advocate, to develop standard charter provisions that may be used by a water district to develop a legislative proposal to amend its charter to operate broadband or other Internet access systems or to provide broadband or other Internet access services to the public.

#### LD 1913 An Act To Create the Electric Ratepayer Advisory Council

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 623 establishes the Electric Ratepayer Advisory Council which is tasked with making recommendations to the Public Advocate regarding methods to ensure that ratepayers in the State are able to afford electricity. It requires the Public Advocate to submit a report by December 1st of each year to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the activities of the council and its recommendations. The committee may report out a bill relating to the recommendations of the council.

Public Law 2021, chapter 623 was enacted as an emergency measure effective April 18, 2022.

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#### LD 1949 An Act To Amend the Caribou Utilities District Charter To Include Broadband Services

#### ENACTED LAW SUMMARY

Private and Special Law 2021, chapter 18 amends the charter of the Caribou Utilities District to permit the district to provide broadband services to residents, businesses, nonprofit organizations and government entities within the district. It expands the district's powers to include those related to the provision of broadband services. It also establishes a process for municipalities other than Caribou to apply for membership to receive broadband services through the district.

# LD 1959 An Act Regarding Utility Accountability and Grid Planning for Maine's Clean Energy Future

#### ENACTED LAW SUMMARY

Public Law 2021, chapter 702:

- 1. Directs the Public Utilities Commission to adopt rules governing the evaluation of the utility service provided by transmission and distribution utilities with over 50,000 customers which must include metrics pertaining to utility operations and activities relating to: service quality, customer service, field services, and distributed energy resources interconnection;
- 2. Requires the commission to set reporting requirements for each metric, designate service standards based on thresholds of performance, and evaluate data provided by the utilities to determine if each utility has met the standards;
- 3. Requires the commission to impose administrative penalties for poor performance unless the utility demonstrates good cause for its failure to meet the standard;
- 4. Requires certain transmission and distribution utilities to submit a report to the commission that includes a comparison of the utility's actual with estimated costs used in its most recent rate case to set rates. If the commission finds a difference of more than 10% between the actual and estimated costs, the commission may require an audit of the utility or disallow cost recovery in the utility's future rate cases;
- 5. Directs the commission to initiate a proceeding to conduct a comparison of each investorowned transmission and distribution utility's expenditures with comparable investor-owned transmission and distribution utilities in the United States. The results of that comparison may be used in a utility's future rate cases;
- 6. Establishes a process for divestiture of an investor-owned transmission and distribution utility that fails to meet the required service standards or is unable to fulfill its statutory duties due to financial impairment;

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- 7. Requires transmission and distribution utilities, no later than December 31, 2023 and every three years thereafter, to prepare and file plans with the commission for addressing the expected effect of climate change on the utility's assets needed to transmit and distribute electricity to its customers;
- 8. Requires the commission to initiate a proceeding to identify priorities regarding a grid plan that will assist in the cost-effective transition to a clean, affordable and reliable electric grid. The commission must hold technical conferences or stakeholder workshops to identify priorities, assumptions, goals, methods and tools that will assist utilities in developing a grid plan. The commission must direct each investor-owned transmission and distribution utility with over 50,000 customers to submit a filing to address the priorities identified by the commission as well as additional elements identified in the law; and
- 9. Adds protections for utility contractors and employees of public utilities, competitive electricity providers, affiliated interests or utility contractors who testify before or provide information to a legislative committee, the commission or the Public Advocate.

#### LD 1967 An Act To Amend the Charter of the Gray Water District

#### ENACTED LAW SUMMARY

Private and Special Law 2021, chapter 19 amends the charter of the Gray Water District to authorize the district to construct and maintain infrastructure in the Town of New Gloucester and to build a water main into and offer service in the Town of North Yarmouth along Gray Road. It also allows the district treasurer to deduct money from a trustee's total compensation for missed regular meetings.

# LD 2016 Resolve, To Implement the Crisis Response Services Recommendations Identified Pursuant to Resolve 2021, Chapter 29

#### **ENACTED LAW SUMMARY**

Resolve 2021, chapter 162 requires the Public Utilities Commission, Emergency Services Communication Bureau to convene a working group to develop policies and procedures to address the screening and transferring of crisis response services calls. The working group is required to determine appropriate procedures for delivering crisis response services. The bureau, in consultation with the Department of Public Safety, must develop proposed legislation to implement the bureau's recommendations for the delivery of crisis response services. The bureau must allow the working group and affected persons and entities to provide comments on the proposal. The commission must submit a report no later than February 1, 2023, detailing the results of the working group's activities along with the proposed legislation, together with all comments received by the bureau, to the joint standing committee of the Legislature having

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jurisdiction over utilities and energy matters. The committee may report out related legislation to the 131st Legislature in 2023.

# LD 2017 Resolve, Regarding Monitoring of and Reporting on Energy Use Data Standards and Online Energy Data Platforms

#### ENACTED LAW SUMMARY

Resolve 2021, chapter 179 directs the Governor's Energy Office to monitor efforts undertaken in other states to improve energy use data standards and to implement multiple-use online energy data platforms. On or before February 28, 2023, the office must submit information regarding other states' efforts and recommendations for how similar efforts could be undertaken in the State to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. The committee may report out related legislation to the 131st Legislature in 2023.

The resolve also requires the Public Utilities Commission to issue a request for information to transmission and distribution utilities and natural gas utilities in the State related to whether each utility has the ability to map specific meters to specific buildings and whether the utility has the ability to export energy data in a specified format. By February 28, 2023, the commission must report the results of the request to the committee, and the committee may report out related legislation to the 131st Legislature in 2023.

#### LD 2033 An Act To Raise the Debt Limit of the Eagle Lake Water and Sewer District

#### ENACTED LAW SUMMARY

Private and Special Law 2021, chapter 21 raises the debt limit of the Eagle Lake Water and Sewer District from \$3,500,000 to \$5,000,000 and corrects an obsolete cross-reference within the district's charter.

Private and Special Law 2021, chapter 21 was enacted as an emergency measure effective April 14, 2022.