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An Act Concerning Wholesale Power Purchases by Consumer-owned Transmission and Distribution Utilities

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

Sec. 1. 35-A MRSA §3202, sub-§1, as enacted by PL 1997, c. 316, §3, is amended to read:

1. Right to purchase generation. Beginning on March 1, 2000, all consumers of electricity have the right to purchase generation services directly from competitive electricity providers, except as provided in subsection 7.

Sec. 2. 35-A MRSA §3202, sub-§7 is enacted to read:

7. Certain consumer-owned utility customers excepted. A customer of a consumer-owned transmission and distribution utility does not have the right to purchase generation services directly from a competitive electricity provider when the consumer-owned transmission and distribution utility has entered into a wholesale power purchase contract or a standard-offer service contract that guarantees that its entire load will be served by the wholesale electricity provider or standard-offer provider. A customer of a consumer-owned transmission and distribution utility that is obligated by the terms of a retail supply contract with a competitive electricity provider, other than the standard offer, on the effective date of the wholesale power purchase contract or the standard-offer service contract entered into by the consumer-owned transmission and distribution utility maintains the right to purchase generation services under the terms of a retail supply contract until the customer is no longer bound by the terms of the retail supply contract.

SUMMARY

This bill creates an exemption from the requirement that all customers of electricity have the right to purchase generation services directly from competitive electricity providers for customers of consumer-owned transmission and distribution utilities that choose to enter into wholesale power purchase contracts or standard-offer service contracts on behalf of all their customers, except customers who entered into separate retail power purchase contracts before the effective date of the wholesale power purchase contract.