

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Amend the Wind Energy Rebate Program Eligibility Requirements

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

Sec. 1. 35-A MRSA §3211-C, sub-§1, ¶D is enacted to read:

D. "Class 1 wind resource" means an average wind speed of less than 9.8 miles per hour at a height of 10 meters;

Sec. 2. 35-A MRSA §3211-C, sub-§1, ¶E is enacted to read:

E. "Class 2 wind resource" means an average wind speed of at least 9.8 miles per hour but less than 11.5 miles per hour at a height of 10 meters;

Sec. 3. 35-A MRSA §3211-C, sub-§1, ¶F is enacted to read:

F. "Class 3 wind resource" means an average wind speed of at least 11.5 miles per hour but less than 12.5 miles per hour at a height of 10 meters;

Sec. 4. 35-A MRSA §3211-C, sub-§1, ¶G is enacted to read:

G. "Net energy" means the difference between the kilowatt-hours consumed by a customer and the kilowatt-hours generated by the customer's generating facility over any time period determined as if measured by a single meter capable of registering the flow of electricity in 2 directions;

Sec. 5. 35-A MRSA §3211-C, sub-§1, ¶H is enacted to read:

H. "Net energy billing" means the billing and metering practice under which a customer is billed on the basis of net energy consumed or generated over the billing period;

Sec. 6. 35-A MRSA §3211-C, sub-§1-A is enacted to read:

1-A. Solar and wind energy rebate program. To the extent that funds are available in the fund established in subsection 3 and the requirements of subsection 2-A are satisfied, an owner or tenant of residential or commercial property located in the State is entitled to a rebate for a qualified solar energy system that is installed in accordance with this subsection after July 1, 2005 that will be connected to the electrical grid or a qualified wind energy system that is installed in accordance with this subsection after January 1, 2009 that will be connected to the electrical grid.

A. The commission shall set rebate levels for qualified solar energy systems. In setting rebate levels for qualified solar energy systems, the commission may consider market demand for qualified solar energy systems, program implementation experience and other factors relevant to the solar energy rebate program.

B. Rebate levels for qualified wind energy systems must be \$500 per 1/2 kilowatt of peak generating capacity of the system up to a maximum of:

(1) One thousand dollars when the system is installed at a site with a Class 1 wind resource;

(2) Fifteen hundred dollars when the system is installed at a site with a Class 2 wind resource;
and

(3) Two thousand dollars when the system is installed at a site with a Class 3 wind resource.

C. To qualify for a rebate, a solar photovoltaic system must meet the following installation requirements:

(1) For a system installed after July 1, 2005 but before January 1, 2007, the system must be installed by a master electrician who has completed a training course to prepare for certification by a North American board of certified energy practitioners or by a master electrician working in conjunction with either a person who has been certified by a North American board of certified energy practitioners or a person who has completed a training course to prepare for certification by a North American board of certified energy practitioners; or

(2) For a system installed on or after January 1, 2007, the system must be installed by a master electrician who has been certified by a North American board of certified energy practitioners or by a master electrician working in conjunction with a person who has been certified by a North American board of certified energy practitioners.

D. To qualify for a rebate, a solar thermal system designed to heat water must be installed by a qualified solar thermal water system installer and, if the solar thermal system is designed to heat potable water, it must be installed by a qualified solar thermal water system installer who holds a current license as a master plumber or by a qualified solar thermal water system installer working in conjunction with a master plumber.

E. To qualify for a rebate, the electrical components of a qualified wind energy system must be installed by a master electrician or by a factory trained and approved dealer for the qualified wind energy system working under the supervision of a master electrician.

In the case of a newly constructed residence, the rebate must be available to the original owner or occupant.

Sec. 7. 35-A MRSA §3211-C, sub-§2, as amended by PL 2007, c. 661, Pt. D, §1, is repealed.

Sec. 8. 35-A MRSA §3211-C, sub-§2-B is enacted to read:

2-B. Eligibility requirements; wind energy system. In establishing eligibility requirements for rebates for qualified wind energy systems, the commission:

- A. May not require that an owner or tenant of a residential property demonstrate that the wind resource available at the site of the qualified wind energy system installation is Class 2 or higher;
- B. Shall require a minimum distance of 20 feet between the tip of the blade of the wind energy system at its lowest point and any structures or trees within a 200-foot radius of the system;
- C. May not require a minimum height for the tower of the qualified wind energy system; and
- D. Shall require the applicant to sign a net energy billing contract with the transmission and distribution utility.

SUMMARY

This bill makes changes to the eligibility requirements and rebate levels for wind energy system rebates under the solar and wind energy rebate program. The bill establishes the rebate amount for wind energy systems in statute as an increasing function of the kilowatt capacity of the wind energy system and the classification of the wind resource at the site of the installation. The bill also amends the law to require that the wind energy system be installed by a factory trained or approved installer under the supervision of a master electrician. The bill also places certain limitations on the eligibility requirements that the Public Utilities Commission may establish for wind energy rebates under the program. Specifically, the bill prohibits the Public Utilities Commission from requiring a residential applicant to demonstrate a minimum wind speed of 9.8 miles per hour or more at the site, prohibits the commission from requiring a minimum tower height for the wind energy system installation, establishes 20 feet as the minimum allowed distance between the wind energy system's blade and any structure or trees within a 200-foot radius and requires the applicant for the rebate to enter into a net energy billing agreement with the transmission and distribution utility.