

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 Tidal Energy Demonstration Project Laws

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

Sec. 1. 38 MRSA §636-A, sub-§1, ¶A, as enacted by PL 2009, c. 270, Pt. D, §8, is amended to read:

A. "Tidal energy demonstration project" or "project" means a hydropower project that uses either in-stream tidal action or the difference between water levels on either side of a marine enclosure as a source of electrical power and that:

(1) Has a ~~total~~net installed generating capacity of 525 megawatts or less; and

(2) Is proposed for the primary purpose of testing new or advanced tidal energy generation ~~technology~~technologies, which may include a mooring or anchoring system and transmission line, turbine designs and construction techniques, and collecting and assessing information on the environmental and other effects of the ~~technology~~technologies.

Sec. 2. PL 2009, c. 615, Pt. A, §6, 3rd ¶ is amended to read:

Subject to the requirements of this section, the commission may direct one or more transmission and distribution utilities, as appropriate, to enter into a long-term contract for an initial term of up to 20 years and with an option, exercisable at the commission's discretion, for one or more renewal terms up to a maximum aggregate extension period of 25 years for the installed capacity and associated renewable energy and renewable energy credits of one or more deep-water offshore wind energy pilot projects or tidal energy demonstration projects.

Sec. 3. PL 2009, c. 615, Pt. A, §6, sub-§1, first sentence is amended to read:

Following review of proposals submitted in response to ~~the~~a competitive solicitation, the commission may negotiate with one or more potential suppliers to supply an aggregate total of no more than ~~3045~~45 megawatts of installed capacity and associated renewable energy and renewable energy credits from deep-water offshore wind energy pilot projects or tidal energy demonstration projects as long as no more than ~~530~~30 megawatts of the total is supplied by tidal energy demonstration projects.

Sec. 4. Competitive solicitation of proposals for tidal energy demonstration projects. Notwithstanding any other provision of law, the Public Utilities Commission shall conduct an additional competitive solicitation of proposals as described in Public Law 2009, chapter 615, Part A, section 6, as amended, for tidal energy demonstration projects as soon as practicable after the effective date of this section. The commission shall make all reasonable efforts to complete its review of proposals under this solicitation and finalize a long-term contract within 3 months of initiating this solicitation.

SUMMARY

This bill expands the definition of "tidal energy demonstration project" under the laws governing general permits for tidal energy demonstration projects to cover so-called tidal range projects, which extract energy from the differential head across a marine enclosure. The bill further directs the Public Utilities Commission to conduct an additional competitive solicitation of proposals for tidal energy demonstration projects and increases the allowed capacity derived from tidal energy demonstration projects to 30 megawatts and total allowed capacity contracted for by the commission to 45 megawatts.