

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

## **An Act Regarding Grid-scale Wind Energy Development**

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

**Sec. 1. 35-A MRSA §3451, sub-§1**, as enacted by PL 2007, c. 661, Pt. A, §7, is amended to read:

**1. Associated facilities.** "Associated facilities" means elements of a wind energy development other than its generating facilities that are necessary to the proper operation and maintenance of the wind energy development, including but not limited to buildings, access roads, generator lead lines and substations. "Associated facilities" does not include utility-owned facilities.

**Sec. 2. 35-A MRSA §3451, sub-§§5 and 6**, as enacted by PL 2007, c. 661, Pt. A, §7, are amended to read:

**5. Generating facilities.** "Generating facilities" means wind turbines and towers and transmission lines, not including generator lead lines, that are immediately associated with the wind turbines. "Generating facilities" does not include utility-owned facilities.

**6. Grid-scale wind energy development.** "Grid-scale wind energy development" means a wind energy development that is of a size that would qualify as a development of state or regional significance that may substantially affect the environment as defined under Title 38, section 482, subsection 2, paragraph A or paragraph C. "Grid-scale wind energy development" does not include utility-owned facilities.

**Sec. 3. 35-A MRSA §3451, sub-§10-C** is enacted to read:

**10-C. Utility-owned facilities.** "Utility-owned facilities" means facilities that are owned and operated by a transmission and distribution utility and that are necessary for the interconnection of a wind energy development to the electric grid, including but not limited to substations, switchyards, transmission lines and associated corridors and other voltage control and reactive power control devices.

**Sec. 4. 35-A MRSA §3451, sub-§11**, as enacted by PL 2007, c. 661, Pt. A, §7, is amended to read:

**11. Wind energy development.** "Wind energy development" means a development that uses a windmill or wind turbine to convert wind energy to electrical energy for sale or use by a person other than the generator. A wind energy development includes generating facilities and associated facilities, but does not include utility-owned facilities.

**Sec. 5. 38 MRSA §482, sub-§8**, as enacted by PL 2009, c. 615, Pt. E, §16, is amended to read:

**8. Offshore wind power project.** "Offshore wind power project" means a project that uses a windmill or wind turbine to convert wind energy to electrical energy and is located in whole or in part within coastal wetlands as defined in section 480-B, subsection 2. "Offshore wind power project" includes both generating facilities as defined by Title 35-A, section 3451, subsection 5 and associated facilities as defined by Title 35-A, section 3451, subsection 1, without regard to whether the electrical energy is for sale or use by a person other than the generator. "Offshore wind power project" does not include utility-owned facilities as defined in Title 35-A, section 3451, subsection 10-C.

## SUMMARY

This bill specifies that associated facilities constructed for wind energy development do not include utility-owned facilities and utility-owned facilities are not part of a wind energy development or offshore wind power project.