

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

Amend the amendment in Part A, section 4 in §3209-B in subsection 1 in paragraph C in the last line (page 3, line 6 in amendment) by striking out the following: "subsection 1." and inserting the following: 'subsection 1.'

Amend the amendment in Part B by striking out all of sections 1 to 3 and inserting the following:

‘**Sec. B-1. 35-A MRSA §3210-G** is enacted to read:

§ 3210-G. Additional long-term contracts

The commission shall direct investor-owned transmission and distribution utilities to enter into contracts for distributed resources in accordance with this section. For purposes of this section, "distributed resource" means an electric generating facility that uses a renewable fuel or technology under section 3210, subsection 2, paragraph B-3, regardless of its power production capacity, and is located in the service territory of a transmission and distribution utility in the State.

1. Solicitations. For the purposes of selecting potential distributed resources for contracting under this section, the commission shall conduct at least 2 competitive solicitations by January 1, 2025. Following review of bids, the commission may negotiate with one or more potential suppliers. If only one bid is offered, the commission shall ensure that negotiations are based on full project cost disclosure by the potential supplier. The commission shall negotiate contracts that are commercially reasonable and that commit all parties to commercially reasonable behavior, except that a contract may not exceed 100 megawatts in capacity. The commission may direct investor-owned transmission and distribution utilities to enter into contracts for distributed resources pursuant to this section only to the extent the aggregate projected costs of all contracts entered into does not exceed the commission's best estimate of the aggregate costs of long-term contracts for 375 megawatts of distributed resources if the capacity of each resource were limited to no more than 5 megawatts of capacity.

2. Disposition of resources. An investor-owned transmission and distribution utility shall sell distributed resource capacity, energy or renewable energy credits purchased pursuant to this section or take other action relative to such resources, energy or renewable energy credits as directed by the commission.

3. Cost recovery. The commission shall ensure that all costs and direct financial benefits associated with contracts entered into under this section are allocated to ratepayers in accordance with section 3210-F. A price differential existing at any time during the term of the contract between the contract price and the prevailing market price at which the capacity resource is sold or any gains or losses derived from contracts for differences must be reflected in the amounts charged to ratepayers and may not be considered imprudent.’

SUMMARY

This amendment replaces Part B of the amendment. It directs the Public Utilities Commission to direct investor-owned transmission and distribution utilities to enter into contracts for distributed resources, defined as electric generating facilities that use a renewable fuel or technology, regardless of power production capacity, and that are located in the service territory of a transmission and distribution utility in the State. The commission is required to conduct at least 2 competitive solicitations by January 1, 2025 to select distributed resources for contracting. The commission, however, may direct investor-owned transmission and distribution utilities to enter into contracts for distributed resources only to the extent the aggregate projected costs of all contracts entered into does not exceed the commission's best estimate of the aggregate costs of long-term contracts for 375 megawatts of distributed resources if the capacity of each resource were limited to no more than 5 megawatts of capacity.

FISCAL NOTE REQUIRED
(See attached)