



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 964

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H.P. 678

House of Representatives, March 12, 2013

### **An Act To Encourage Community-based Renewable Energy**

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Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative FREDETTE of Newport.  
Cosponsored by Senator CUSHING of Penobscot.

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

2 **Sec. 1. 35-A MRSA §3603, sub-§2, ¶C**, as enacted by PL 2009, c. 329, Pt. A,  
3 §4, is amended to read:

4 C. The total installed generating capacity of program participants ~~within the service~~  
5 ~~territory of~~ with whom a single investor-owned transmission and distribution utility  
6 enters into a long-term contract under subsection 4, paragraph A may not exceed 25  
7 megawatts, ~~unless a higher capacity limit is authorized by the utility and approved by~~  
8 ~~the commission~~. The commission shall determine a generating capacity limit for the  
9 service territory of each investor-owned transmission and distribution utility at the  
10 outset of the program, taking into consideration the utility's electric load and share of  
11 electricity market in the State. The commission may modify the generating capacity  
12 limit under this paragraph based on program experience.

13 **Sec. 2. 35-A MRSA §3604, sub-§1**, as enacted by PL 2009, c. 329, Pt. A, §4, is  
14 amended to read:

15 **1. Investor-owned transmission and distribution utilities; required**  
16 **participation.** Notwithstanding section 3204, the commission may direct investor-  
17 owned transmission and distribution utilities to enter into long-term contracts with  
18 program participants ~~located within the service territory of the utility~~ for energy, capacity  
19 resources or renewable energy credits. The commission may direct investor-owned  
20 transmission and distribution utilities to enter into contracts under this subsection only as  
21 agents for their customers and only in accordance with this section. An investor-owned  
22 transmission and distribution utility shall sell energy, capacity resources or renewable  
23 energy credits purchased pursuant to this subsection into the wholesale electricity market  
24 or take other action relative to such energy, capacity resources or renewable energy  
25 credits as directed by the commission.

26 **SUMMARY**

27 This bill amends the Community-based Renewable Energy Act to remove the  
28 requirement that a program participant be located within the service territory of an  
29 investor-owned transmission and distribution utility with whom it contracts.