



132nd MAINE LEGISLATURE

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Legislative Document

No. 839

S.P. 372

In Senate, March 4, 2025

**An Act to Lower Consumer Electricity Costs by Prohibiting the
Recovery Through Rates of Costs Attributable to Net Energy Billing**

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator STEWART of Aroostook.
Cosponsored by Senators: BENNETT of Oxford, HARRINGTON of York, Representatives:
FAULKINGHAM of Winter Harbor, FOSTER of Dexter, MCINTYRE of Lowell, PAUL of
Winterport, WADSWORTH of Hiram.

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

2 **Sec. 1. 35-A MRSA §3209-A, sub-§1, ¶B-1** is enacted to read:

3 B-1. "Kilowatt-hour credit program cost" means:

4 (1) Transmission and distribution costs that would otherwise be paid by a customer
5 through the volumetric charge on the customer's electricity bill that are not received
6 by a transmission and distribution utility due to application of kilowatt-hour credits
7 to the customer's electricity bill; and

8 (2) Costs incurred by a transmission and distribution utility for the administration
9 of net energy billing arrangements.

10 **Sec. 2. 35-A MRSA §3209-A, sub-§10** is enacted to read:

11 **10. Kilowatt-hour credit program costs.** After June 30, 2026, kilowatt-hour credit
12 program costs may not be included or incorporated in the operating expenses of a
13 transmission and distribution utility to be recovered in rates and must be paid from the
14 General Fund. The commission shall submit legislation to request funding to be paid into
15 the Net Energy Billing Cost Stabilization Fund established in section 3209-B, subsection
16 10 to ensure adequate funding is available to pay kilowatt-hour credit program costs.

17 The commission shall adopt rules to establish a process by which kilowatt-hour credit
18 program costs are distributed to transmission and distribution utilities using funds from the
19 Net Energy Billing Cost Stabilization Fund. The rules must require a transmission and
20 distribution utility to provide to the commission, at least annually, an estimate of kilowatt-
21 hour credit program costs for the following year. The commission rules must establish a
22 schedule for the commission's payment of kilowatt-hour program costs and a reconciliation
23 process by which any overpayments are returned by a transmission and distribution utility
24 to the Net Energy Billing Cost Stabilization Fund. Notwithstanding any provision of this
25 section to the contrary, rules adopted by the commission pursuant to this subsection are
26 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

27 **Sec. 3. 35-A MRSA §3209-B, sub-§1, ¶B-1** is enacted to read:

28 B-1. "Commercial and institutional program cost" means:

29 (1) The dollar amount of bill credits paid to a customer based on the tariff rates
30 established under subsection 5; and

31 (2) Costs incurred by a transmission and distribution utility for the administration
32 of the program.

33 **Sec. 4. 35-A MRSA §3209-B, sub-§1, ¶C-1** is enacted to read:

34 C-1. "Monetized benefit" means revenue received by a transmission and distribution
35 utility that is generated by the sale of:

36 (1) Electricity produced by a distributed generation resource participating in the
37 program; and

38 (2) Capacity rights associated with a distributed generation resource participating
39 in the program.

40 **Sec. 5. 35-A MRSA §3209-B, sub-§9** is enacted to read:

