1	L.D. 946
2	Date: (Filing No. H-)
3	ENERGY, UTILITIES AND TECHNOLOGY
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	127TH LEGISLATURE
8	FIRST REGULAR SESSION
9 10 11	COMMITTEE AMENDMENT " " to H.P. 649, L.D. 946, Bill, "An Act To Change Laws Amended by Public Law 2013, Chapter 369, Also Known as the Omnibus Energy Act"
12	Amend the bill by striking out the title and substituting the following:
13 14 15	'Resolve, To Establish a Moratorium on the Assessment of Large Volume Consumers by Gas Utilities and To Evaluate Cost-effective Natural Gas Conservation and Efficiency Improvements for Large Volume Consumers'
16 17	Amend the bill by striking out everything after the title and before the summary and inserting the following:
18 19 20	'Preamble. Whereas, the Legislature, with Public Law 2013, chapter 369, established an expanded natural gas conservation program for consumers during the First Regular Session of the 126th Legislature; and
21 22	Whereas, all consumers benefit from investing in cost-effective energy efficiency projects and from other utility consumers investing in such projects; and
23 24 25	Whereas, questions have arisen during the planning for implementation of the expanded program regarding the most effective way of achieving energy efficiency for the largest consumers of Maine's natural gas utilities; and
26 27 28 29	Whereas, the largest of Maine's natural gas consumers use significantly greater volumes of natural gas than other consumers; and such uses include electricity generation and industrial process applications; and many of these consumers have only recently converted to, or invested in equipment for use of, natural gas; now, therefore, be it
30 31 32 33	Sec. 1. Moratorium on assessments by gas utilities of large volume consumers. Resolved: That, notwithstanding the Maine Revised Statutes, Title 35-A, section 10111, until 90 days after the adjournment of the Second Regular Session of the 127th Legislature:

- 1. Large volume consumers of a gas utility are not eligible to participate in any Efficiency Maine Trust natural gas conservation programs;
- 2. The Public Utilities Commission may not allow a gas utility to collect an assessment under Title 35-A, section 10111 through its rates from large volume consumers and may not make a final decision regarding the appropriateness of or size of such collections from large volume consumers; and
- 3. The commission may not order or authorize a gas utility assessed under Title 35-A, section 10111 to exempt any consumers other than large volume consumers from the collection of that assessment through its rates.

Notwithstanding Title 35-A, section 10111, prior to 90 days after the adjournment of the Second Regular Session of the 127th Legislature, any assessment by the commission under Title 35-A, section 10111 must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible under this section to receive funds from the natural gas conservation fund.

For the purposes of this section, "large volume consumer" means a consumer of a gas utility that uses 1,000,000 centum cubic feet or more of natural gas per year; and be it further

Sec. 2. Stakeholder discussions. Resolved: That the Efficiency Maine Trust shall, using existing resources, meet with representatives of large volume consumers of gas utilities, as defined in section 1, and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. The trust shall submit a report of these meetings, together with any recommendations, by December 31, 2015 to the Joint Standing Committee on Energy, Utilities and Technology, which may report out a bill to the Second Regular Session of the 127th Legislature.'

26 SUMMARY

This amendment replaces the bill with a resolve. The amendment establishes a moratorium on assessments for large volume consumers by gas utilities until 90 days after the adjournment of the Second Regular Session of the 127th Legislature. This amendment specifies that the Public Utilities Commission may not allow a natural gas utility to collect an assessment under the Maine Revised Statutes, Title 35-A, section 10111 through its rates from large volume consumers and may not make a final decision regarding the appropriateness of or size of such collections from large volume consumers. The amendment specifies that the Public Utilities Commission may not order or authorize a natural gas utility to exempt from collection of an assessment through its rates any consumers other than large volume consumers. The amendment specifies that, during this same time period, large volume consumers are not eligible to participate in any Efficiency Maine Trust natural gas conservation programs. This amendment also ensures that, during this period, notwithstanding Title 35-A, section 10111, any assessment by the commission must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible to receive funds from the natural gas conservation fund. This amendment defines a large volume consumer as a consumer using 1,000,000 centum cubic feet or more of natural gas per year.

This amendment also directs the Efficiency Maine Trust to meet with large volume consumers of gas utilities and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. This amendment directs the trust to report the results of these meetings, along with recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2015. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature.

FISCAL NOTE REQUIRED

(See attached)