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ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 860, L.D. 1186, Bill, "An Act To Exempt Agricultural Fairs from the Assessment of Demand Charges for Electricity"

Amend the bill by striking out the title and substituting the following:

'An Act To Address Electricity Costs of Agricultural Fairs'

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

'Sec. 1. 35-A MRSA §10124 is enacted to read:

§10124. Agricultural fair assistance program

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

- A. "Agricultural fair" has the same meaning as in Title 7, section 81, subsection 1.
B. "Demand charge" means a charge on an electric bill that is based on the customer's peak demand for electricity.
C. "Fund" means the agricultural fair assistance program fund established under subsection 3.
D. "Program" means the agricultural fair assistance program established under subsection 2.

2. Program established. The trust shall establish and administer an agricultural fair assistance program to help agricultural fairs reduce electricity costs through the most cost-effective opportunities available. Under the program, the trust shall:

- A. Conduct outreach and provide technical assistance to agricultural fairs to:
(1) Identify opportunities to reduce electricity costs, including but not limited to opportunities to reduce peak electricity demand; and

COMMITTEE AMENDMENT

1 (2) Enroll agricultural fairs in existing programs offered by the trust as
2 appropriate; and

3 B. Offer custom financial incentives to agricultural fairs to implement electric
4 efficiency and conservation measures, including but not limited to measures to reduce
5 peak electricity demand.

6 The program may use a definition of cost-effective other than the definition adopted by
7 the trust pursuant to section 10110, subsection 2.

8 **3. Fund established.** The trust shall establish the agricultural fair assistance
9 program fund as a nonlapsing fund administered by the trust to fund the program. The
10 commission shall assess each transmission and distribution utility an amount necessary to
11 collect the total amount of demand charges paid by agricultural fairs in the State to
12 transmission and distribution utilities during the prior year. All amounts collected under
13 this subsection must be transferred to the fund. Any interest earned on funds in the fund
14 must be credited to the fund. Funds not spent in any fiscal year remain in the fund to be
15 used by the program. The assessments charged to transmission and distribution utilities
16 under this subsection are just and reasonable costs for rate-making purposes. The
17 commission may issue any appropriate orders to transmission and distribution utilities
18 necessary to achieve the goals of this subsection.

19 **4. Report.** No later than January 15, 2022 and January 15, 2024, the trust shall
20 submit a report on the program to the joint standing committee of the Legislature having
21 jurisdiction over energy and utility matters. The report must include information on
22 program implementation, total deposits into and expenditures from the fund, program
23 activity and reductions in peak electricity demand, energy consumption and electricity
24 costs achieved. After receiving the report due by January 15, 2024, the committee may
25 report out a bill relating to the program to the Second Regular Session of the 131st
26 Legislature.

27 **5. Repeal; remaining funds.** This section is repealed June 30, 2024. In the event
28 funds in the fund are not expended or contracted for expenditure as of June 30, 2024, the
29 commission shall ensure that the value of those funds is returned to electricity consumers.

30 **Sec. 2. Rate design; proceeding; report.** The Public Utilities Commission shall
31 open a proceeding to examine rate design and related issues for electricity customers that
32 have seasonal, limited-duration, concentrated load profiles, including but not limited to
33 agricultural fairs, seasonal festivals and other similar entities. In this proceeding, the
34 commission shall examine options for alternative rate design, with particular attention to
35 electricity demand charges, and identify other types of electricity customers, in addition
36 to agricultural fairs, that may benefit from a program similar to that established under the
37 Maine Revised Statutes, Title 35-A, section 10124. No later than December 1, 2019, the
38 commission shall submit a report on its findings and recommendations under this section
39 to the Joint Standing Committee on Energy, Utilities and Technology. The committee
40 may report out a bill to the Second Regular Session of the 129th Legislature based on the
41 report.'

42 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
43 section number to read consecutively.

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SUMMARY

This amendment replaces the bill. The amendment establishes a program administered by the Efficiency Maine Trust to help agricultural fairs reduce electricity costs through efficiency and conservation. The program includes outreach and technical assistance to agricultural fairs to identify opportunities to lower electricity costs and enroll agricultural fairs in existing programs offered by the trust as appropriate. The program also provides custom financial incentives to agricultural fairs to implement electric efficiency and conservation measures, including but not limited to measures to reduce peak electricity demand. Funds for the program are set at the total amount paid in demand charges by agricultural fairs in the State during the prior year and are collected from electricity customers by transmission and distribution utilities. The trust is required to report to the Legislature on the program in January 2022 and January 2024, and the program has a sunset date of June 30, 2024.

The amendment also directs the Public Utilities Commission to examine rate design and related issues for electricity customers that, like agricultural fairs, have seasonal, limited-duration, concentrated load profiles. It requires the commission to submit a report on its findings and recommendations to the Joint Standing Committee on Energy, Utilities and Technology and authorizes the committee to report out a bill to the Second Regular Session of the 129th Legislature based on the report.