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**ENERGY, UTILITIES AND TECHNOLOGY**

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**STATE OF MAINE  
SENATE  
126TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 440, L.D. 1278, Bill, “An Act To Ensure Equitable Support for Long-term Energy Contracts”

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

**Sec. 1. 35-A MRSA §3210-C, sub-§8**, as repealed and replaced by PL 2009, c. 415, Pt. A, §23, is amended to read:

**8. Cost recovery.** The commission shall ensure that ~~an investor-owned transmission and distribution utility recovers in rates~~ all costs of and direct financial benefits associated with contracts entered into pursuant to subsection 3, including but not limited to any impacts on the utility's costs of capital 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 ~~rates~~ the amounts charged to ratepayers and may not be ~~deemed to be~~ considered imprudent.

**Sec. 2. 35-A MRSA §3210-F** is enacted to read:

**§3210-F. Allocation of costs and benefits of long-term energy contracts**

The commission shall ensure that all eligible costs and benefits associated with a long-term energy contract are allocated to ratepayers in accordance with this section.

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

A. "Eligible costs and benefits" means the net amount of all costs and direct financial benefits associated with long-term energy contracts entered into by investor-owned transmission and distribution utilities, including but not limited to any effects on a utility's cost of capital as a result of these contracts.

**COMMITTEE AMENDMENT**



1 currently receive the benefits and pay the costs of long-term energy contracts and that it is  
2 not intended to make classes or certain bodies of ratepayers who do not currently receive  
3 the benefits or pay the costs of long-term energy contracts do so. This amendment  
4 removes the 25-megawatt cap under the community-based renewable energy pilot  
5 program. This amendment does not change the total 50-megawatt statewide cap.