

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 467 - L.D. 698

An Act to Reduce the Cost of Energy in Maine and Reduce Greenhouse Gas Emissions Through the Effective Use of Renewably Sourced Gas

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

Sec. 1. 35-A MRSA §1903, as amended by PL 2015, c. 445, §§3 and 4, is repealed.

Sec. 2. 35-A MRSA §1909-A is enacted to read:

§1909-A. Regional natural gas monitoring; commission intervention

1. Federal Energy Regulatory Commission proceedings. The commission shall:

A. Monitor proceedings at the Federal Energy Regulatory Commission related to interstate natural gas transportation capacity in New England and the Northeast; and

B. If the commission believes that intervention and participation in a proceeding described in paragraph A will best represent the interests of the State's electric and gas ratepayers, intervene and participate in the proceeding and seek to achieve a result that will ensure the lowest possible natural gas and electricity prices for consumers in the State.

2. Report. By December 31st of any year in which the commission has intervened and participated in a proceeding pursuant to subsection 1, paragraph B, the commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utility matters summarizing its participation.

Sec. 3. 35-A MRSA §1912, as amended by PL 2017, c. 22, §1, is repealed.

Sec. 4. 35-A MRSA §4701-A is enacted to read:

§4701-A. Renewably sourced gas; authorized with commission approval

1. Definition. For the purposes of this section, unless the context otherwise indicates, the following term has the following meaning.

A. "Renewably sourced gas" means gas that the commission finds has been processed to meet pipeline, equipment and appliance quality standards to blend with or substitute for geologically derived natural gas and may include gas that:

(1) Is produced by anaerobic digestion or gasification of agricultural waste, dairy or animal residual materials or landfill biomass material;

(2) Is produced by wastewater treatment or other waste processes; or

(3) Has a lower carbon content than natural gas, including but not limited to hydrogen gas.

2. Renewably sourced gas. Any gas utility may be authorized, subject to commission approval in accordance with subsection 3, to buy, sell, furnish, transport, store, distribute, dispose of or otherwise deal in renewably sourced gas with the same rights, privileges and limitations conferred or imposed upon it with respect to geologically or conventionally sourced natural gas and within the same territorial limitations within which it is authorized to deal in manufactured gas.

3. Commission approval. A gas utility may petition the commission to utilize renewably sourced gas in accordance with subsection 2. The commission may authorize the use of renewably sourced gas upon a finding that:

A. The gas utility will utilize the renewably sourced gas in a manner that is safe and reliable;

B. The renewably sourced gas will be provided to customers at a just and reasonable rate; and

C. Granting the authorization may reduce greenhouse gas emissions and help to meet the greenhouse gas emissions reduction levels set forth in Title 38, section 576-A.

Sec. 5. Requests for information; Public Utilities Commission. The Public Utilities Commission, after consultation with the Office of the Public Advocate, the Governor's Energy Office and the Efficiency Maine Trust, shall issue a request for information to appropriate stakeholders, organizations or other entities identified by the commission for the following information:

1. Whether there are any reasonable opportunities for the commission to explore and consider engaging in the execution of an energy cost reduction contract or a physical energy storage contract in accordance with the principles of beneficial electrification and the Maine Revised Statutes, Title 35-A, chapter 19; and

2. Identification of existing and near-term replacement energy sources for natural gas in commercial and industrial uses, including when the replacement energy sources are expected to be available, the cost of those replacement energy sources and the steps needed to develop a cost-effective and reliable supply of such replacement energy sources.

By February 1, 2024, the commission shall submit a report to the Joint Standing Committee on Energy, Utilities and Technology that includes a summary of the responses the commission received from its request for information, any actions the commission has taken, if any, as a result of the information submitted by respondents to the commission's request for information and any recommendations. The committee may report out a bill to the Second Regular Session of the 131st Legislature.