

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND SEVENTEEN

—
H.P. 535 - L.D. 755

**An Act To Amend the Law Regarding Nontransmission Alternatives
Investigations Required for Proposed Transmission Lines and Projects**

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

Sec. 1. 35-A MRSA §3132, sub-§2, as amended by PL 2009, c. 309, §1, is further amended to read:

2. Construction of transmission line. Except as otherwise provided in subsection 3-A, whenever any person proposes to erect within this State a transmission line capable of operating at 69 kilovolts or more, that person shall file a petition for the approval of the proposed line in accordance with subsection 2-C. The petition for approval must be set down for public hearing. The commission shall issue its order within ~~6~~ 9 months after the petition is filed unless this period is extended either by agreement of all the parties or by the commission upon its determination that the party seeking the extension would, because of circumstances beyond that party's control, be unreasonably disadvantaged unless the extension were granted, as long as the party to that time had prosecuted its case in good faith and with due diligence.

At the time of filing of a petition for approval of a proposed line under this section, the person filing the petition shall send a copy of the petition by certified mail to the municipal officers of the municipality or municipalities in which the line is to be located.

Sec. 2. 35-A MRSA §3132, sub-§2-C, ¶B, as amended by PL 2013, c. 369, Pt. C, §2, is further amended to read:

B. Justification for adoption of the route selected, including comparison with alternative routes that are environmentally, technically and economically practical; and

Sec. 3. 35-A MRSA §3132, sub-§2-C, ¶C, as amended by PL 2013, c. 369, Pt. C, §2, is repealed.

Sec. 4. 35-A MRSA §3132, sub-§2-D is enacted to read:

2-D. Nontransmission alternatives investigation. In considering whether to approve or disapprove all or portions of a proposed transmission line pursuant to subsection 5, the commission shall consider the results of an investigation by an independent 3rd party, which may be the commission or a contractor selected by the commission, of nontransmission alternatives to construction of the proposed transmission line. The investigation must set forth the total projected costs of the transmission line as well as the total projected costs of the alternatives over the effective life of the proposed transmission line.

Sec. 5. 35-A MRSA §3132-A, sub-§1, as enacted by PL 2013, c. 369, Pt. C, §8, is amended to read:

1. Submission requirement. A person that proposes to undertake in the State a transmission project must provide the commission with ~~the following information:~~ a description of the need for the proposed transmission project.

~~A. Results of an investigation by an independent 3rd party, which may be the commission or a contractor selected by the commission, of nontransmission alternatives to construction of the proposed transmission project. The investigation must set forth the total projected costs of the transmission project as well as the total projected costs of the nontransmission alternatives over the effective life of the proposed transmission project; and~~

~~B. A description of the need for the proposed transmission project.~~

Sec. 6. 35-A MRSA §3132-A, sub-§1-A is enacted to read:

1-A. Nontransmission alternatives investigation. In considering whether to approve or disapprove all or portions of a proposed transmission project pursuant to subsection 2, the commission shall consider the results of an investigation by an independent 3rd party, which may be the commission or a contractor selected by the commission, of nontransmission alternatives to construction of the proposed transmission project. The investigation must set forth the total projected costs of the transmission project as well as the total projected costs of the alternatives over the effective life of the proposed transmission project.

Sec. 7. Nontransmission alternatives coordinator proceeding. By December 15, 2017, the Public Utilities Commission shall issue an order in the adjudicatory proceeding regarding the investigation into the designation of a nontransmission alternatives coordinator, Docket No. 2016-00049, and report the outcome of that proceeding to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2018.