

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIFTEEN

—
H.P. 649 - L.D. 946

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

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

Whereas, all consumers benefit from investing in cost-effective energy efficiency projects and from other utility consumers investing in such projects; and

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

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

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.