

**Testimony of Plus Power on Maine LD 819  
An Act Concerning the Status of Battery Storage Systems with Regard to the Business  
Equipment Tax Exemption  
Joint Taxation Committee  
March 12, 2025  
Polly Shaw, Chief External Relations Officer  
Plus Power**

Good morning, Senator Grohoski, Representative Cloutier, and members of the Committee. My name is Polly Shaw, and I am Chief External Relations Officer for Plus Power. Plus Power is an American-owned, American-headquartered developer-owner-operator of utility-scale battery energy systems with projects in 28 states and Canada.

We respectfully ask you to vote ought not to pass on this bill.

Since 2021, we have had excellent relations with the Town of Gorham. Therefore we were extremely surprised and disappointed that the first we learned of the Town's intentions was via this legislation.

Battery storage eligibility in the BETE program makes Maine attractive to investment. We relied on BETE eligibility to determine our project viability. Battery storage is not generation, transmission, or distribution. Passage of this bill could lead to protracted and expensive annual tax valuation negotiations with each town that would undermine confidence in investing in Gorham or anywhere else in Maine.

Under BETE, the project developer is 100% exempted from equipment property tax payments, but the State reimburses the town for 50% of the lost property tax revenue. Therefore, the Town is much better off having the battery storage project because it gets to keep that 50% of the reimbursed tax revenue of a very large investment that it would not otherwise have had.

For reference, our 175 MW Cross Town Energy Storage facility in Gorham is in the final stages of its construction for a late Summer online date. This bill would cause Plus Power extraordinary harm on a project that is nearly complete.

Maine's legislature has repeatedly signaled that it desires battery storage to increase grid resilience, lower electricity costs, maximize federal incentives, and advance the state's clean energy goals. Our facility represents Maine's nascent battery storage growth. It is needed to help move Northern Maine wind resources to where the growing demand is. It represents 58% of Maine's 2025 storage target.

Our counsel's interpretation of BETE for the past three years is that battery storage and this facility are eligible. Its interpretation was confirmed by an Advisory Ruling issued by Maine Revenue Services in August 2023 which we relied on to underpin project economics.

In Nov 2023, we shared this legal interpretation with the Town and found no pushback nor surprise, nor have we since received any disagreement with the interpretation. Relying on the BETE statute as written, and the MRS and legal interpretations that we discussed with the Town, we executed contracts committing to over a hundred million dollars in project investment and began construction.

If we had anticipated two years ago that battery storage was ineligible, we would not have moved ahead. Therefore:

- Gorham would lose over \$16M in local tax revenue to the municipality, schools, and county under the BETE program;
- The community would lose local labor opportunities to build the project;
- That labor has apprenticeship and prevailing wages during construction—and continues to receive prevailing wages for at least the first five years of operations.

We seek predictability for our investments.

It seems counterproductive to the Town's long-term interests to weaken investor confidence in regulatory stability, particularly in this innovative new sector that helps meet many energy, environmental and economic goals.

We respectfully ask you to defeat this bill.

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Polly Shaw  
Chief External Relations Officer