



OFFICE of the CITY MANAGER

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April 9, 2025

Senator Mark Lawrence
Representative Melanie Sachs
Joint Committee on Energy, Utilities, and Technology
Legislative Information Office
100 State House Station
Augusta, Maine 04333

Re: Testimony in Opposition to LD 1321 and LD 1317

Senator Lawrence, Representative Sachs, and Members of the Joint Standing Committee on Energy, Utilities, and Technology—

It has come to our attention yet again that your committee is considering two bills that propose significant retroactive changes for Maine's Net Energy Billing program. We find this immensely concerning as we are currently constructing a project to offset half of our municipal load here in the City of Bath, and programmatic changes may very well diminish the investments we have made to date, leaving us with the requirement to pay for a system that will not be operable.

As a municipality, it should come as no surprise that our multiple facilities' result in high energy costs as one of the largest line items in our budget each year. For that reason, we sought out opportunities to reduce these costs—ultimately to reduce taxpayer burden—and decided to enter a contract for solar development on an older capped landfill. The project is currently under development and is expected to begin construction in just two months.

Our project will ultimately be subject to Tariff Program rates, which both LD 1321 and LD 1317 propose to significantly reduce. First, LD 1321 would eliminate the opportunity to offset transmission and distribution charges, which would cut compensation for onsite projects by 67%. Second, LD 1317 would reduce compensation rates to 12 cents/kWh, which, at current rates, would reduce credit value for onsite projects by 51%. Clearly, such significant reduction in compensation for the power we will produce will have major impacts on our project financing and the investments we have made to date. Such legislation threatens the viability of this project, as well as the investments of many fellow municipalities across the state. Such unexpected budget gaps would be an immense challenge to address.

This project is a key part of our expanded and updated Resilient Bath Climate Action and Resiliency Plan, which was years in the making and passed by our City Council this past November. A key initiative of the plan includes a

municipal renewable energy transition, specifically investing in solar power for municipal facilities, as well as energy-efficiency programs. This living document reflects the will of our community, and we take its implementation very seriously.

We understand that Maine has clear, codified climate goals that require the increase in renewable energy generation. We are constructing a project on a former landfill site to offset our municipal needs, which ultimately serves our taxpayers. While it is not our role to compare types of projects, it seems this is the type of project—sited on contaminated land, reducing the energy costs of a municipality to ultimately reduce taxes and thus impacts on taxpayers—that we want to be encouraging to meet our state’s goals. We urge the Energy Committee to reject these two bills, which would financially harm the energy investments we are making and thus our city’s taxpayers, too. For the investments made by dozens of municipalities across the state, we ask you to vote ought not to pass on LD 1321 and LD 1317. Thank you.

Sincerely,

Marc Meyers
City Manager
City of Bath

Rod Melanson
Director of Sustainability & Environment
City of Bath