

**Testimony before the Committee on Energy, Utilities and Technology
Neither For Nor Against
LD 1317, *An Act to Promote Responsible, Cost-effective Energy in Maine by Amending the
Tariff Rates Applicable to the Commercial and Institutional Net Energy Billing Program***

April 10, 2025

Senator Lawrence, Representative Sachs and members of the Committee on Energy, Utilities and Technology, my name is Sean Mahoney, and I am the Vice President and senior counsel of the Conservation Law Foundation (CLF). I appreciate this opportunity to submit testimony neither for nor against L.D. 1317, *An Act to Promote Responsible, Cost-effective Energy in Maine by Amending the Tariff Rates Applicable to the Commercial and Institutional Net Energy Billing Program*.

CLF, founded in 1966, is a public interest advocacy group that works to solve the environmental and energy challenges threatening the people, natural resources and communities in Maine and across New England. In Maine for almost four decades, CLF is a member-supported organization that works to ensure that laws and policies are developed, implemented and enforced that protect and restore our natural resources; are good for Maine's economy and environment; and equitably address the climate crisis.

As noted in testimony provided to this Committee earlier in the session, CLF supports the Net Energy Billing Program because it has produced significant economic benefits for Maine people and businesses and is helping to satisfy the state's clean energy and climate obligations. The expansion of solar energy resources that has resulted from the NEB program has also strengthened the reliability of the transmission grid here in Maine and across New England, as recognized by the grid operator ISO-New England.

At the same time, the ratepayer impact of the NEB program has been an appropriate focus of this Committee, the Legislature, the Administration, the PUC, the Office of the Public Advocate and the many organizations represented in this room today. CLF has opposed legislation previously introduced that on their faces sought to address this ratepayer impact but failed to provide anything close to a workable solution beyond ending the program entirely with no direction as to how to deal with the over 1,000 megawatts of installed distributed solar generation or the approximately 100,000 ratepayers in Maine currently participating in the program.

As noted in testimony from the Public Advocate on those previous bills, it is critical that any legislation addressing the costs of the NEB program on ratepayers must not "create chaos and confusion" but rather plot "a sober path forward to save ratepayer money." Unlike those other bills, LD 1317 proposes changes to the tariff rate that preserves that portion of the program that

includes residential rooftop solar and takes a targeted and pragmatic approach to addressing the subset of projects that have the most impact on ratepayer costs. Because the ramifications of any changes to the NEB program will be experienced by many, those changes must not be made lightly. That requires in-depth evaluation as to whether a tariff rate of 12 cents per kilowatt hour is the right number, if that number should be adjusted annually and how to address projects in different service areas and rate programs. It is also critical to ensure that any changes to the NEB program, especially those that might impact operational projects, avoid any further erosion of Maine's reputation as a good place to invest, particularly in the clean energy sector. Because that evaluation has not yet been conducted, our position on LD 1317 at the moment is **neither for nor against**, but we would commit to working with its sponsor, Senator Bennett, this Committee and other stakeholders as that evaluation takes place and any amendments are proposed.

Maine people deserve clean, reliable and affordable electricity. Solar power unequivocally is each of those things. We believe LD 1317 is a good faith effort to make changes to the NEB program that would reflect that. Thank you.