



May 1, 2025

Senator Mark Lawrence, Chair

Representative Melanie Sachs, Chair

Committee on Energy, Utilities, and Technology

100 State House Station

Augusta, ME 04333

Re: Testimony in Opposition to LD 1777

Dear Senator Lawrence, Representative Sachs, and Members of the Energy, Utilities and Technology Committee:

ENGIE owns/operates four small-scale solar projects in Aroostook County that participate in the Net Energy Billing program. We began developing these projects in 2020 and have invested millions of dollars on equipment, construction, and utility upgrades to bring these projects online. The projects are 100% subscribed by Maine customers and are embraced by their local host communities.

We respectfully oppose LD 1777 and any retroactive change to Maine's Net Energy Billing program for operational projects. Make no mistake, the impact of this bill would irreparably harm ENGIE's investments made in Maine to date. All of our Maine-based customers signed long-term contracts with ENGIE with the expectation that these projects will deliver the savings and system benefits outlined in existing Maine law, regulations, tariffs and contracts. These Maine entities will bear the brunt of harmful retroactive contract changes should this bill become law.

We appreciate the intent behind LD1777 to allow developers to a "fair profit" for these projects, but the reality is that (1) the bill as drafted is far too vague and (2) giving the PUC broad authority to change and update these rates over time is untenable. ENGIE and our customers have firm financial obligations in place around these projects and unknown future changes to the credit structure for operational projects would be devastating.



ENGIE has actively participated in the Legislature's periodic requests to change NEB program rules since the program's expansion in 2019. We have come to the bargaining table time and again in good faith and compromised on credit rates and project eligibility. As a result, most of the projects we had under development will never be built. These four existing projects in Aroostook County are the ones that have met all of the required maturity milestones and jumped through all of the hoops to remain eligible for the program.

Passing this bill would result in an unprecedented interference in existing contracts for operating energy infrastructure. If retroactive changes in law were routine, can you imagine the impact this would have on business? Not only would it send a signal that Maine is a risky place to invest, but it would also lead to years of litigation, abandoned projects, and stranded costs for ratepayers.

I urge you to please reject this bill.

Thank you,

Hannah Bent

Senior Policy Advisor, ENGIE Distributed Solar & Storage