

February 19, 2026

Maine Committee on Taxation

RE: L.D. 1223 – An Act to Establish a Tax Credit for Net Energy Billing Costs (a/k/a Maine Net Energy Billing Fairness Tax Credit program)

Committee Members,

I am writing to provide public comment on the above referenced bill. This is a follow up to my public comments dated February 16, 2026 after hearing the testimony at the public hearing on February 18, 2026. **The changes are highlighted in bold/underline.** I am in favor of this bill and offer a few comments as a possible amendment:

Residential customer

1. In order for a residential customer taxpayer to be eligible for the proposed tax credit, they would need to meet the following criteria, which largely tracks the Maine Property Tax Fairness Credit program, but does have some variation. In particular:
 - a. Be a Maine resident during any part of the tax year,
 - b. That the proposed tax credit only be available for an electric utility bill related to a property that the residential customer taxpayer owned or rented in Maine during any part of the tax year and lived in that home during the year as a primary residence,
 - c. Meet certain income** limitations during the tax year (**the income limitations would be the same as set forth in the Maine Property Tax Fairness Credit program) and,
 - d. Are not married filing separately
2. That the residential customer taxpayer tax credit be limited to no greater than **\$120**. The tax credit limit should be indexed to any percentage changes in the net energy billing customer costs and adjusted each tax year,
3. **That the residential customer taxpayer tax credit excludes taxpayers whose utility bill indicates that they are a subscriber to net energy billing in Maine during any part of the tax year.**

[Property Tax Fairness Credit Summary | Maine Revenue Services](#)

Small Commercial Customer

1. In order for a small commercial customer taxpayer to be eligible for the proposed tax credit, they would need to meet the following eligibility criteria, which largely tracks the Maine Seed Capital Tax Credit program, but does have some variation. In particular:
 - a. Located in Maine, and in addition it is domiciled in Maine during any part of the tax year,
 - b. Meet certain income** limitations during the tax year (**the income limitations would be the same as set forth in the Maine Seed Capital Tax Credit program, which is annual gross receipt of sales of less than \$5,000,000 for any for profit entity),

- c. Operating the small commercial customer business must be the professional, full-time activity of at least one of the principal owners of the small commercial customer,
 - d. That the proposed small commercial customer tax credit only be available for an electric utility bill related to a property that the small commercial customer taxpayer owned or rented in Maine during any part of the tax year and used that property during the year as their primary location in Maine and,
 - e. In the case of pass-through entities (such as partnerships, LLCs, S corporations and trusts) the partners, members, shareholders, beneficiaries or other owners are allowed the proposed tax credit in proportion to their respective interest in these entities.
2. That the small commercial customer taxpayer tax credit be limited to no greater than **\$120**. The tax credit limit should be indexed to any percentage changes in the net energy billing customer costs and adjusted each tax year.
 3. **That the small commercial customer taxpayer tax credit excludes taxpayers whose utility bill indicates that they are a subscriber to net energy billing in Maine during any part of the tax year.**

[Maine Seed Capital Tax Credit Program - FAME Maine](#)

Consumer protections; bill information:

1. Amend Title 35-A, Section 3107 to add:
 - a. Require an investor-owned transmission and distribution utility to include on the customer bill an itemization that includes net energy billing customer costs, **with a calendar year total and a disclaimer that this is the amount that may be eligible for the Maine Net Energy Billing Fairness Tax Credit program.**
 - b. Alternatively, the following language could be considered to be added to Title 35-A, Section 3017: “Require an investor-owned transmission and distribution utility to include on the customer bill an itemization that includes, 1) energy conservation costs, 2) low-income energy assistance costs, 3) transmission costs, 4) net energy billing customer costs, 5) all other stranded costs not related to net energy billing customer costs, and 6) all other distribution costs not otherwise referenced that are included in the delivery rate charge”. As a note, according to the Maine PUC website, energy conservation costs, low-income energy assistance costs, transmission costs, stranded costs and all other distribution costs are bundled together to create a delivery rate charge, so the proposed language would allow for these various costs to be separately identified on a bill.

[Residential Electric Rates | MPUC](#)

Sincerely,
Steven J. Ingalls
Steven Ingalls, Stetson

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Please see my updated public comment dated 2/19/26.