

May 18, 2023

Senator Mark Lawrence, Chair  
Representative S Paige Zeigler, Chair  
Committee on Energy, Utilities, and Technology  
100 State House Station  
Augusta, ME 04333

***Re: Testimony in Opposition to LD 1778***

To Senator Lawrence, Representative Zeigler, and Members of the Energy, Utilities and Technology Committee

Please consider this testimony in opposition to LD 1778. The Coalition for Community Solar Access (CCSA) is a national Coalition of businesses and non-profits working to expand customer choice and access to solar for all American households and businesses through community solar. Our mission is to empower every American energy consumer with the option to choose local, clean, and affordable community solar. We work with customers, utilities, local stakeholders, and policymakers to develop and implement policies and best practices that ensure community solar programs provide a win, win, win for all, starting with the customer.

In the last few weeks, the topic of net energy billing has received quite a bit of attention. In fact, just a month ago I offered testimony on the same bill language in front of us today that also appeared in LD 1347. I will not repeat the same testimony here, but instead will offer a few additional thoughts for your consideration.

CCSA is not asserting that NEB does not have a ratepayer impact, or that it is a perfect program. But we are concerned that the discourse around program costs has not captured the full picture of solar programs in Maine, and a rash decision in reaction to that discourse will lead to bad public policy. As we have stated before, the \$220 million cost figure being referenced is overstated and not representative of the NEB program. The utilities' filings include projections that do not hold up to scrutiny. CMP's cost estimates overestimate the number of projects likely to come online in the next two years, overestimate the amount of energy they will produce, and do not properly account for the number of projects that will receive a reduced tariff rate due to last year's legislation. Utility ratemaking is complex, and holding up that figure in isolation to other costs and investments in our electric system is misleading. The figures cited do not account for any of the grid benefits that ratepayers will see in the form of lower delivery and standard offer rates down the line - resulting from reduced transmission charges, lower energy prices resulting from more local generation, and the improvements to grid infrastructure that solar projects make when they connect to the grid.

We can acknowledge that Maine's solar programs can be improved to provide a better value for ratepayers. We cannot do that in a way that impacts existing contracts and agreements. Other states have learned that lesson the hard way. In late 2015, the Public Utilities Commission of Nevada implemented reforms to net metering that reduced the bill savings solar customers



could realize Those changes were applied to existing solar customers as well as future installations, pulling the rug out from thousands of residents and small businesses that relied on savings from their solar investments As a result, the three largest solar providers left the state, thousands of solar workers lost their jobs, the utility faced a class action lawsuit from customers, utility commissioners faced public backlash and calls to resign, and eventually, two years later, the legislature restored the original policy<sup>1</sup> Nevada has become the cautionary tale in how retroactive policy changes can destroy a viable industry and create deep distrust in public institutions, let us learn from others' mistakes and instead work to implement more viable solutions

There are better solutions to ensure that Maine can continue sustainable solar development while benefiting all Maine ratepayers The Distributed Generation 2.0 Stakeholder Working Group has already identified program designs that can achieve significant net benefits to ratepayers, and we should build upon the work already done through that effort We also must take the rare opportunity this year to secure hundreds of millions of dollars of federal funding to apply to solar programs serving low and moderate income customers These are solutions that will take Maine forward, not backward

For these reasons, we respectfully urge the committee to vote ought not to pass \

Sincerely,

Kate Daniel  
Northeast Regional Director  
Coalition for Community Solar Access

---

<sup>1</sup>

<https://www.indystar.com/story/news/2017/11/05/how-nevada-ruined-its-solar-industry-and-what-its-doing-fix/823213001/>

---

1380 Monroe Street NW, #721  
Washington, DC 20010  
720-334-8045

info@communitysolaraccess.org  
**www.communitysolaraccess.org**