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To the Joint Standing Committee on Energy, Utilities, and Technology I offer my thanks for taking the time to allow me to introduce LD 638, "An Act to Create Equal Opportunity Access to Clean Energy by Removing the 100-megawatt Limit on Clean Energy Sources". My name is Donny Ardell, and I represent House District 6.

Policy adopted by Maine in 1999's Title 35-A, Chapter 32, subsection 3210 reads: "Policy. In order to ensure an adequate and reliable supply of electricity for Maine residents and to encourage the use of renewable, efficient and indigenous resources, it is the policy of this State to encourage the generation of electricity from renewable and efficient sources and to diversify electricity production on which residents of this State rely in a manner consistent with this section."
Subsection 3210 1-A continues to state the Maine State renewable energy goals include percentages of retail sales of electricity coming from renewable sources be 80% by 2030, and 100% by the start of 2050.

Subsection 3210 B-3(1) goes on to define "Renewable Capacity Resource" as a source of electrical generation that relies on a list of six sources whose power production capacity does not exceed 100 megawatts: (a) Fuel cells, (b) Tidal power, (d) Geothermal installations; (e) Hydroelectric generators that meet all state and federal fish passage requirements applicable to the generator, (f) Biomass generators that are fueled by wood, wood waste or landfill gas; and (g) Anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse. Subsection 3210 B-3(2), amended in 2019, follows, designating wind and solar power installations as not subject to the 100 megawatt limit to be considered as Renewable Capacity Resources.

The intent of these designations of sources of electrical generation, by past legislatures, is clearly to limit competing sources of energy generation and to prioritize solar and wind, designating them as Renewable Capacity Resources with no limit, a tactic that is apparently satisfying the "diversify electricity production" clause in Maine's energy policy in the beginning the section.

However, does Maine's policy provide for *some* diversity but inadvertently encourage the use of nonrenewable fuels? By providing advantages to wind and solar, are we removing free market forces that would choose the most "adequate and reliable" sources of power, as Maine's policy also requests? Predictably, solar power installations that are only fueled by solar energy, during the day, are unable to produce electricity at night. Were Maine a location with high demand for home and business cooling during the day, as southern states are, I'd agree that solar electricity generation is a reasonably competitive energy choice. But Maine is far more reliant on winter heating than summer cooling, and during the winter months, when the nights are longest and when Mainers' home heating needs are the highest, solar is taking the night off. Wind power generation, similarly, but less predictably, is inconsistent in that it does not produce electricity when the wind is moving in insufficient volume to transfer that kinetic energy to a moving turbine. And yet Mainers' winter electricity demand continues, regardless of whether the sun is shining or if the wind is blowing. By way of example, on the coldest winter night of 2022 in Aroostook County, the overnight low air temperature was -35 degrees Fahrenheit, and the wind speed was zero. Neither the sun was shining nor the wind blowing, and yet Mainers' winter home heating energy needs were the highest.

Ironically, when wind and solar are not producing, backup generators powered by natural gas or diesel are used to make up the deficit. If wind and solar are continued to be prioritized, unless a change is made, Maine will be able to reach neither its 2030 goal of 80%, nor its 2050 goal of 100%, of renewable energy, and natural gas and diesel generation backup will continue to be relied on. By de-incentivizing the six other Renewable Capacity Resources in Subsection 3210 B-3(1), we are in fact, incentivizing the use of natural gas and diesel generators.

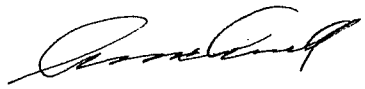
To return to Maine's stated energy policy, the economy to the consumer is not mentioned, and apparently not considered. Maine's seniors, veterans, and disabled, living on fixed incomes, pensions, and Social Security, are reliant on our sound decision-making. As stewards of energy policy for Maine's people, we would be very wise to consider cost in our energy decisions, because energy costs can be, and clearly are, acting as inflationary forces that limit Maine's business and industry growth, which at the same time limits Mainers' employment opportunities.

In closing, I'd like to suggest Maine's energy policy, one that emphasizes an "adequate and reliable" supply for Maine residents, and that encourages the use of "renewable, efficient, and indigenous resources", while prioritizing wind and solar, is in fact creating a structure in which the least reliable sources of power are creating an increased need for backup natural gas and diesel power generation.

The outcome of this 'prioritized' system acts to drive Maine back to the very non-renewable energy sources it seeks to leave behind. I ask a simple change that creates a free market for renewable energy.

Thank you for your time, and careful consideration of this bill.

Sincerely,



Donald J. Ardell
State Representative

House District 6