



**Testimony in Support of LD 597,
An Act Concerning Energy, Utilities and Technology**

By Rebecca Schultz,
Senior Advocate for Climate and Clean Energy
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Senator Lawrence, Representative Sachs, and members of the Joint Committee on Energy, Utilities and Technology, my name is Rebecca Schultz. I am a Senior Advocate for Climate and Clean Energy at the Natural Resources Council of Maine (NRCM). NRCM is Maine's leading nonpartisan environmental advocacy organization with nearly 20,000 members and supporters statewide, on whose behalf I am testifying today in support of LD 597.

In 2023, Maine enacted a first-in-the-nation law to promote the development of solar energy on farmland contaminated by PFAS.

Using solar siting as a way to put this land into productive-use and create a revenue stream for the Maine farmers whose livelihoods have been devastated by a policy of spreading toxic sludge as fertilizer was so obviously a winning solution that the bill earned unanimous support out of Committee and passed under the gavel.¹

And yet, the procurement established by that law has failed to advance a single project on PFAS-contaminated land, despite competitive participation.

Acknowledging that this was clearly not the desired outcome, the Chair of the Public Utilities Commission (PUC) wrote to the Committee on April 4, 2025, providing a detailed explanation as to why the procurement failed and proposing several statutory amendments to increase the likelihood of success in subsequent rounds.²

LD 597 provides the Committee with an opportunity to right this wrong, resolve misinterpretations of statute, and reverse this disappointing outcome by responding to the recommendations offered by PUC Chair Bartlett's letter.

It does so as an emergency bill in order to act in a timely manner on the bids already submitted while they are still viable, to save on costs without having to initiate a second solicitation. This is especially urgent because we face a high degree of uncertainty surrounding the availability of federal incentives,

¹ 131st Legislature, LD 1591, status in committee,

https://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=131&paper=&paperId=l&ld=1591.

² Maine Public Utilities Commission, April 4, 2025, Letter to EUT RE 2024-00235 Request for Proposals for the Sale of Energy and Renewable Energy Credits to Promote the Reuse of Contaminated Land Pursuant to 35-A M.R.S. S. 3210-J, <https://www.maine.gov/mpuc/sites/maine.gov/mpuc/files/inline-files/4.4..25%20Letter%20to%20EUT%20re%20Contaminated%20Land%20Procurement.pdf>.

including a 10% adder to the investment tax credit for renewable energy projects on contaminated lands through the Inflation Reduction Act.

With the additional threat of tariffs, it may be now or never, and an emergency enactment may be Maine's last chance to throw these farmers a lifeline.

LD 597 takes this narrow window of opportunity to clarify the statutory language to allow the Commission to consider separate or bundled pricing for energy *or* renewable energy credits (RECs). According to Chair Bartlett:

Such optionality gives the Commission flexibility to select the best combination of prices for energy and RECs, which increases the likelihood that the Commission receives ratepayer beneficial bids for which it can award a contract.³

Furthermore, in section 3, the bill also puts in place hard guardrails on price in determining the ratepayer benefit standard, such that the value of energy offered in the bid may not exceed 6.5 cents per kilowatt-hour. With this cost containment provision, any awards would clearly be beneficial relative to current standard offer supply rates of between 10 and 11 cents across Maine service territories.

Placing additional clean energy supply under affordable, long-term contracts will help keep prices low and insulate Maine homes and businesses from the volatile prices associated with natural gas.

Two years ago, LD 1591 earned the unanimous support of this Committee to give preference to PFAS-contaminated lands in siting solar energy projects. To accomplish what that bill set out to do and offer Maine farmers an economic lifeline, LD 597 deserves similar treatment.

NRCM supports this bill, and we urge you to vote **Ought to Pass LD 597**.

Thank you for this opportunity and for your consideration of these comments.

³ Ibid, at 4.