

STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

July 2007

MEMBERS:

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**JOINT STANDING COMMITTEE ON
UTILITIES AND ENERGY**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	75	89.3%	3.9%
<u><i>Bills Carried Over</i></u>	<u>8</u>	<u>9.5%</u>	<u>0.4%</u>
Total Bills referred	83	98.8%	4.3%
B. Bills reported out by law or joint order	1	1.2%	0.1%
Total Bills considered by Committee	84	100.0%	4.4%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	7.9%	0.3%
<i>Ought to Pass as Amended</i>	25	32.9%	1.4%
<i>Ought to Pass as New Draft</i>	0	0.0%	0.0%
<u><i>Ought Not to Pass</i></u>	<u>32</u>	<u>42.1%</u>	<u>1.8%</u>
Total unanimous reports	63	82.9%	3.6%
B. Divided committee reports			
<i>Two-way reports</i>	13	17.1%	0.7%
<i>Three-way reports</i>	0	0.0%	0.0%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	13	17.1%	0.7%
Total committee reports	76	90.5%	4.4%
III. CONFIRMATION HEARINGS	3	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	20	23.8%	1.0%
<i>Private and Special Laws</i>	9	10.7%	0.5%
<i>Resolves</i>	10	11.9%	0.5%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	39	46.4%	2.0%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	2	100.0%	8.3%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	2	100.0%	8.3%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	0	0.0%	0.0%
<i>Vetoed sustained</i>	0	0.0%	0.0%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	0	0.0%	0.0%

Note: A committee vote on a bill is not included here if the bill was subsequently re-referred to another committee or recommitted and carried over.

Joint Standing Committee on Utilities and Energy

LD 33 An Act To Simplify Wireless Telecommunications

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN R	ONTP	

This bill authorizes the Public Utilities Commission, to the extent permitted under federal law, to prevent providers of mobile telecommunications services from requiring subscribers to dial the area code when dialing a number in the same area code.

The Joint Standing Committee on Utilities and Energy, by letter dated 2/21/07, requested that the Public Utilities Commission notify the committee if it encounters any legal barriers in responding to consumer complaints related to in-state dialing pattern requirements.

LD 36 An Act To Transfer the Administration of the Renewable Resource Fund from the State Planning Office to the Public Utilities Commission

**PUBLIC 18
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS BARTLETT	OTP-AM	H-10

This bill transfers responsibilities for administering the Renewable Resource Fund from the State Planning Office to the Public Utilities Commission. The bill also adds municipalities and school administrative districts to the list of entities eligible to receive money from the Renewable Resource Fund for community demonstration projects.

Committee Amendment "A" (H-10)

This amendment adds an emergency preamble and clause to the bill and provides for an effective date of July 1, 2007. It amends the list of entities that are eligible to receive distributions from the Renewable Resource Fund for community demonstration projects to add quasi-municipal corporations and districts. The amendment also adds a requirement that the Public Utilities Commission make an annual report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding the Renewable Resource Fund and the activities funded by the fund.

Enacted Law Summary

Public Law 2007, chapter 18 transfers responsibilities for administering the Renewable Resource Fund from the State Planning Office to the Public Utilities Commission. The law expands the list of entities that are eligible to receive distributions from the Renewable Resource Fund for community demonstration projects to include municipalities, school administrative districts and quasi-municipal corporations and districts. The law also requires that the Public Utilities Commission make an annual report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding the Renewable Resource Fund and the activities funded by the fund.

Public Law 2007, chapter 18 was enacted as an emergency measure effective July 1, 2007.

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LD 134 An Act To Encourage the Use of Solar Energy

PUBLIC 29

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM MAJ ONTP MIN	S-11

Current law governing the Public Utilities Commission's solar energy rebate program sets the rebate amount for solar thermal systems in statute at 25% of the cost of a solar thermal system or \$1,250, whichever is less. This bill gives the Public Utilities Commission discretion to set rebate levels for solar thermal systems.

Committee Amendment "A" (S-11)

This amendment is the majority report of the committee. The amendment retains the provision in the bill that gives the Public Utilities Commission discretion to set rebate levels for solar thermal systems and adds a provision to give the commission discretion to set rebate levels for solar photovoltaic systems.

Enacted Law Summary

Public Law 2007, chapter 29 gives the Public Utilities Commission discretion to set rebate levels for solar thermal systems and solar photovoltaic systems under the commission's solar energy rebate program.

LD 229 An Act To Facilitate the Establishment of Tribal Electric Utility Districts

PUBLIC 189

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-184

Under current law, the Passamaquoddy Tribe and the Penobscot Nation possess the authority of municipalities within their respective Indian territories, and municipalities are authorized to form municipal power districts. This bill directs the Public Utilities Commission to authorize, upon application by the Passamaquoddy Tribe or Penobscot Nation, a municipal power district formed by the Passamaquoddy Tribe or Penobscot Nation to serve its respective Indian territory and to direct any transmission and distribution utility serving in that territory to convey to the district, for reasonable compensation, its transmission and distribution assets located within the district.

Committee Amendment "A" (H-184)

This amendment replaces the bill. The amendment explicitly affirms the right of the Passamaquoddy Tribe and the Penobscot Nation to form and organize tribal power districts with the same rights, powers, privileges, obligations and limitations as municipal power districts. The amendment also clarifies the interaction between the laws governing municipal power districts and the Maine Indian land claims settlement. The purpose of this amendment is to provide the Penobscot Nation and the Passamaquoddy Tribe the opportunity to acquire, develop, finance and provide electric power within their respective Indian territories to allow them to develop a sustainable local economy.

Enacted Law Summary

Public Law 2007, chapter 189 explicitly affirms the right of the Passamaquoddy Tribe and the Penobscot Nation to form and organize tribal power districts with the same rights, powers, privileges, obligations and limitations as municipal power districts. This law also clarifies the interaction between the laws governing municipal power districts and the Maine Indian land claims settlement. The purpose of this law is to provide the Penobscot Nation and

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the Passamaquoddy Tribe the opportunity to acquire, develop, finance and provide electric power within their respective Indian territories to allow them to develop a sustainable local economy.

LD 230 An Act To Clarify the Scope of Conservation Programs with Respect to Electricity Use ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	ONTP	

This bill specifies that conservation programs administered by the Public Utilities Commission, in addition to saving electricity, may also result in savings in nonelectric fuels that are incidental to electricity savings.

LD 240 An Act To Establish a Discounted Cable Rate for Senior Citizens and Assisted Living Facilities ACCEPTED ONTP REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	ONTP MAJ OTP-AM MIN	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide a discounted rate for cable television service for senior citizens and persons who reside in assisted living facilities.

Committee Amendment "A" (S-46)

This amendment (not adopted) replaces the bill and is the minority report of the committee. The amendment requires a housing facility for older persons that receives a discount on cable television services to pass through 95% of the discount to residents of the facility.

LD 242 An Act To Establish a "Do Not Fax" List ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	ONTP	

This bill establishes a "Do Not Fax" list to be maintained by the Office of the Attorney General and prohibits the unsolicited transmission of a fax message to a telephone number listed on the "Do Not Fax" list.

The Joint Standing Committee on Utilities and Energy, by letter dated 4/13/07, requested that the Office of the Attorney General and the Office of the Public Advocate each provide information in their consumer publications regarding the laws and regulations governing unsolicited faxes and how consumers can file complaints.

LD 267 An Act To Ensure Proper Funding of the Public Utilities Commission PUBLIC 16 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS	OTP-AM	H-11

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This bill eliminates the fixed annual cap of \$5,505,000 for the Public Utilities Commission's assessment on the gross intrastate operating revenues of utilities that provides funding for the commission and replaces it with language that allows the commission set the assessment annually to provide sufficient revenue for the level of expenditures allocated by the Legislature for operating the commission.

Committee Amendment "A" (H-11)

This amendment clarifies the role of the joint standing committee of the Legislature having jurisdiction over public utilities matters with respect to review and oversight of the Public Utilities Commission's budget and the commission's Regulatory Fund in particular. It amends the provision of law governing the legislative approval of the commission's budget to specify that the commission shall present its budget to the joint standing committee and that the committee shall make recommendations on the entire budget, including the Regulatory Fund. The amendment also clarifies the language in the bill regarding the maximum total assessment to specify that legislative allocations for the Regulatory Fund govern the total assessment amount. Finally, it also clarifies that the Legislature may allocate, not only appropriate, additional funds for the commission.

Enacted Law Summary

Public Law 2007, chapter 16 eliminates the fixed annual cap of \$5,505,000 for the Public Utilities Commission's assessment on the gross intrastate operating revenues of utilities that provides funding for the commission and replaces it with language that allows the commission set the assessment annually to provide sufficient revenue for the level of expenditures allocated by the Legislature for operating the commission. This law also clarifies the role of the joint standing committee of the Legislature having jurisdiction over public utilities matters with respect to review and oversight of the Public Utilities Commission's budget and the commission's Regulatory Fund in particular. It amends the provision of law governing the legislative approval of the commission's budget to specify that the commission shall present its budget to the joint standing committee and that the committee shall make recommendations on the entire budget, including the Regulatory Fund.

Public Law 2007, chapter 16 was enacted as an emergency measure effective March 23, 2007.

LD 268 An Act Regarding the Long-term Contracting Authority of the Public Utilities Commission

PUBLIC 293

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS BARTLETT	OTP-AM MAJ ONTP MIN	H-220

This bill makes several changes to the laws governing capacity resources for electricity generation and the Public Utilities Commission's authority to direct transmission and distribution utilities to enter into long-term contracts for capacity resources. The bill includes the following provisions.

1. It amends the definition of "interruptible, demand response or energy efficiency capacity resource" to shift responsibility for recognizing these resources from the commission to New England independent system operator.
2. It amends the definition of "renewable capacity resource," to clarify the definition with respect to the application of fish passage requirements for hydroelectric generators.
3. It amends the laws governing long-term contracts for capacity resources to allow contracted energy to be sold into the wholesale market in conjunction with standard offer solicitations.
4. It adds language to provide the commission with authority to direct transmission and distribution utilities to enter long-term contracts for ancillary services and renewable energy credits associated with capacity

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resources.

5. It eliminates the language in current law that limits the commission to directing transmission and distribution utilities to enter contracts only as agents for their customers and instead allows the commission to direct transmission and distribution utilities to enter contracts on a wholesale basis.
6. It eliminates the requirement that the commission consider the cost of capacity and cost of related energy in the selection of capacity resources and the requirement that the commission's rules provide a methodology for calculating and considering the cost of related energy for capacity-only offers.

Committee Amendment "A" (H-220)

This amendment is the majority report of the committee. The amendment eliminates the provisions in the bill that would authorize the Public Utilities Commission to direct large investor-owned transmission and distribution utilities to enter into long-term contracts for ancillary services and renewable energy credits associated with capacity resources and to enter into long-term contracts on a wholesale basis. The amendment also adds language to revise the definition of "renewable capacity resource" to eliminate the 100 megawatt capacity limit in current law and removes language in the bill in order to preserve the definition of "interruptible, demand response or energy efficiency capacity resource" as it exists in current law. The amendment also removes the emergency preamble and emergency clause from the bill.

Enacted Law Summary

Public Law 2007, chapter 293 makes the following changes to the laws governing capacity resources for electricity generation and the Public Utilities Commission's authority to direct transmission and distribution utilities to enter into long-term contracts for capacity resources.

1. It amends the definition of "renewable capacity resource" to eliminate the 100 megawatt capacity limit in current law to clarify the definition with respect to the application of fish passage requirements;
2. It amends the laws governing long-term contracts for capacity resources to allow contracted energy to be sold into the wholesale market in conjunction with standard offer solicitations; and
3. It eliminates the requirement that the commission consider the cost of capacity and cost of related energy in the selection of capacity resources and the requirement that the commission's rules provide a methodology for calculating and considering the cost of related energy for capacity-only offers.

LD 290 An Act To Encourage the Use of Solar Energy

ONTP

Sponsor(s)

CEBRA

Committee Report

ONTP

Amendments Adopted

This bill amends the law governing the solar energy rebate program. It changes the allocation of program funds to increase the amount for solar photovoltaic system rebates from 25% to 75% and to decrease the amount for solar thermal systems from 75% to 25%. The bill also extends the solar energy rebate program until December 31, 2012 and makes ongoing General Fund appropriations of \$1,500,000 in fiscal years 2007-08 and 2008-09 for solar photovoltaic system rebates.

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**LD 352 An Act To Provide an Appeal Process Regarding Rate Increases of
Certain Quasi-municipal Districts and Corporations ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	ONTP	

This bill provides a process for consumers to appeal a water or sewer rate increase adopted by a quasi-municipal corporation or district that services a single municipality. Specifically, the bill provides the opportunity for ratepayers to appeal the rate increase to the municipal officers of the municipality upon the written petition of 10 ratepayers. The bill also provides the opportunity for ratepayers to appeal the rate increase through a referendum if the municipal officers uphold the rate increase.

LD 369 An Act To Require High-speed Internet Access for All Maine Residents ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNIGHT	ONTP	

This bill requires telephone utilities operating in Maine to provide high-speed Internet access to any Maine resident who requests it, except for residents of unorganized territories.

**LD 393 Resolve, Establishing a Commission To Develop Methods for the State
To Promote the Generation of Electrical Power in an Environmentally
Sound Manner and Independent of Foreign Fuel Imports ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACOBSEN	ONTP MAJ OTP-AM MIN	

This resolve establishes the Commission to Develop Methods for the State to Promote the Generation of Electrical Power in an Environmentally Sound Manner and Independent of Foreign Fuel Imports. The commission consists of 6 Legislators and 3 members with expertise in the generation of electricity. The resolve requires the commission to meet at least twice and report its findings, recommendations and any implementing legislation to the Joint Standing Committee on Utilities and Energy and the Legislative Council no later than January 4, 2008. The commission is authorized to introduce legislation related to its report to the Second Regular Session of the 123rd Legislature.

Committee Amendment "A" (H-150)

This amendment (not adopted) incorporates a fiscal note and is the minority report of the committee.

**LD 398 An Act To Require Transmission Lines To Be Placed Underground near
Certain Facilities CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO		

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This bill requires that high-voltage transmission lines capable of operating at 115 kilovolts or more constructed, rebuilt or relocated on or after October 1, 2007 near areas that are frequently used by children, including residential areas, public playgrounds, schools, child care facilities and children's camps, be placed underground. The bill directs the Public Utilities Commission to adopt rules regarding this requirement, and it provides an exemption from the requirement if a transmission and distribution utility can demonstrate to the Public Utilities Commission that it is technologically infeasible to place the transmission line underground.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 409 Resolve, To Study Alternative Fuel Use by Schools and Public Buildings

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	ONTP	

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to study methods of encouraging the use of alternative fuels, including, but not limited to, wood chips, as an energy source in public buildings and schools.

The Joint Standing Committee on Utilities and Energy, by letter dated 4/13/07, requested that the Governor's Office on Energy Independence and Security address the issues presented in LD 1079 and LD 409 and report back to the committee by January 15, 2008.

LD 413 Resolve, Regarding the Reentry of Electric Utilities into the Energy Supply Business

RESOLVE 54

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	OTP-AM	H-280

This bill is a concept draft pursuant to Joint Rule 208. This bill would remove the prohibition in Maine's electric utility restructuring laws that currently prohibits electric utilities from owning and operating generation service. It would allow utilities to own and operate electric generation service and provide energy and energy services to their customers, subject to regulation by the Public Utilities Commission.

Committee Amendment "A" (H-280)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to undertake a review of issues related to electric utilities' participation in the energy supply business and requires that the review be conducted through a public investigative proceeding. The amendment requires the Public Utilities Commission to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2008 and authorizes the committee to submit legislation related to the report to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 54 directs the Public Utilities Commission to undertake a review of issues related to electric utilities' participation in the energy supply business and requires that the be conducted through a public investigative proceeding. The resolve requires the Public Utilities Commission to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2008 and authorizes the committee to submit legislation related to the report to the Second Regular Session of the 123rd Legislature.

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LD 420 An Act Providing for Regulation of the Cable Television Industry by the ONTP
Public Utilities Commission

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY	ONTP	

This bill subjects basic tier service rates and services of cable television systems to regulation by the Public Utilities Commission. The bill also establishes hearing and complaint procedures for rate increases or product or service changes by a cable television system operator and directs the Public Utilities Commission, on petition of 25 or more customers, to petition the Federal Communications Commission to address any increases or changes if the Public Utilities Commission finds them to be unreasonable.

LD 435 An Act To Require Utilities and Competitive Service Providers To Pay CARRIED OVER
Interest on Overestimates of Electric

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J		

This bill directs the Public Utilities Commission to adopt routine technical rules that require transmission and distribution utilities and competitive service providers to pay customers accrued interest of 5% on any amount billed for overestimated usage resulting from an estimated electric power bill.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 498 An Act To Limit the Charges for a Lost Cell Phone ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY	ONTP	

This bill prohibits a wireless telecommunications provider from charging more than \$50 in wireless telephone service charges for a lost or stolen cellular telephone after the telephone has been reported lost or stolen.

LD 536 An Act To Promote Efficiency in the Use of the Communications PUBLIC 224
Equipment Fund EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS	OTP-AM	H-294

This bill makes changes to the funding levels for specific programs under the Communications Equipment Fund while preserving the total annual amount available to the Communications Equipment Fund at the amount authorized for fiscal year 2007-08 and subsequent years, which is \$242,500. The Communications Equipment Fund receives money from the state universal service fund to provide communications equipment and related services to deaf, hard-of-hearing and speech-impaired persons and persons with disabilities. The bill increases from \$122,500 to \$185,000 the maximum annual funding for communications equipment purposes, including purchase, lease, distribution, maintenance and repair of specialized equipment, and clarifies that this funding may be used for associated administrative costs. The bill decreases from \$120,000 to \$57,500 the maximum annual funding for the

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discount program for emergency alert telecommunications services for low-income persons who are deaf or hard-of-hearing. The bill also expands the technology covered by the discount program to include one-way pagers, in addition to two-way pagers and wireless telecommunications devices, and requires that the discount for one-way pagers be equal to the monthly service charge.

Committee Amendment "A" (H-294)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2007, chapter 224 makes changes to the funding levels for specific programs under the Communications Equipment Fund while preserving the total annual amount available to the Communications Equipment Fund at the amount authorized for fiscal year 2007-08 and subsequent years, which is \$242,500. The Communications Equipment Fund receives money from the state universal service fund to provide communications equipment and related services to deaf, hard-of-hearing and speech-impaired persons and persons with disabilities. This law increases from \$122,500 to \$185,000 the maximum annual funding for communications equipment purposes, including purchase, lease, distribution, maintenance and repair of specialized equipment, and clarifies that this funding may be used for associated administrative costs, and it decreases from \$120,000 to \$57,500 the maximum annual funding for the discount program for emergency alert telecommunications services for low-income persons who are deaf or hard-of-hearing. The law also expands the technology covered by the discount program to include one-way pagers, in addition to two-way pagers and wireless telecommunications devices, and requires that the discount for one-way pagers be equal to the monthly service charge.

Public Law 2007, chapter 224 was enacted as an emergency measure effective June 4, 2007.

LD 547 An Act To Create Fairness in E-9-1-1 Funding

PUBLIC 68

Sponsor(s)

FITTS

Committee Report

OTP-AM

Amendments Adopted

H-57

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the current law to require the prepaid wireless and the broadband markets of telephone service to collect funding for E-9-1-1 services.

Committee Amendment "A" (H-57)

This amendment replaces the bill. It amends the law governing the funding of the E-9-1-1 system in the following ways.

1. It clarifies that prepaid wireless telephone service, as a type of cellular or wireless telecommunications service, is subject to the monthly statewide E-9-1-1 surcharge.
2. It specifies 3 methods for providers of prepaid wireless telephone service to collect the statewide E-9-1-1 surcharge as follows: (a) collect the surcharge from each customer whose account balance is equal to or greater than the amount of the surcharge, (b) collect the surcharge from the customer at the point of sale or (c) collect the surcharge indirectly by calculating the total surcharged owed by dividing its monthly intrastate revenue by average revenue per user and multiplying the result by the amount of the surcharge.
3. It adds interconnected voice over Internet protocol service as a type of telephone service subject to the statewide E-9-1-1 surcharge, and it amends the provision of the E-9-1-1 law regarding tort liability for telecommunications providers to grant interconnected voice over Internet protocol providers the same treatment as other telecommunications service providers.

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4. It requires the Public Utilities Commission to adopt rules to implement the provisions of the E-9-1-1 funding law and to report to the joint standing committee of the Legislature having jurisdiction over telecommunications matters no later than January 15, 2009 regarding the collection of the E-9-1-1 surcharge on prepaid wireless telephone service and interconnected voice over Internet protocol service.

Enacted Law Summary

Public Law 2007, chapter 68 amends the law governing the funding of the E-9-1-1 system in the following ways.

1. It clarifies that prepaid wireless telephone service, as a type of cellular or wireless telecommunications service, is subject to the monthly statewide E-9-1-1 surcharge.
2. It specifies 3 methods for providers of prepaid wireless telephone service to collect the statewide E-9-1-1 surcharge as follows: (a) collect the surcharge from each customer whose account balance is equal to or greater than the amount of the surcharge, (b) collect the surcharge from the customer at the point of sale or (c) collect the surcharge indirectly by calculating the total surcharged owed by dividing its monthly intrastate revenue by average revenue per user and multiplying the result by the amount of the surcharge.
3. It adds interconnected voice over Internet protocol service as a type of telephone service subject to the statewide E-9-1-1 surcharge, and it amends the provision of the E-9-1-1 law regarding tort liability for telecommunications providers to grant interconnected voice over Internet protocol providers the same treatment as other telecommunications service providers.
4. It requires the Public Utilities Commission to adopt rules to implement the provisions of the E-9-1-1 funding law and to report to the joint standing committee of the Legislature having jurisdiction over telecommunications matters no later than January 15, 2009 regarding the collection of the E-9-1-1 surcharge on prepaid wireless telephone service and interconnected voice over Internet protocol service.

LD 593 Resolve, To Establish a Second Public Safety Answering Point for Kennebec County

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	OTP-AM	

This resolve requires the Public Utilities Commission to amend the rules for the E-9-1-1 system to require 2 public safety answering points in Kennebec County and require that one of those points be located in Waterville. Under current rules, there may be no more than one public safety answering point in Kennebec County.

Committee Amendment "A" (S-152)

This amendment (not adopted) specifies that the requirement in the bill for 2 public safety answering points in Kennebec County, including one in Waterville, will be in effect until October 31, 2011.

The Joint Standing Committee on Utilities and Energy, by letter dated 6/20/07, requested that the Office of Program Evaluation and Government Accountability conduct an audit of the Department of Public Safety, Regional Communications Centers, with particular attention to the Central Maine Regional Communications Center.

Senate Amendment "B" (S-282)

This amendment (not adopted) eliminates the requirement that the Public Utilities Commission amend its rules to require 2 public safety answering points in Kennebec County and instead delays implementation of the consolidation of public safety answering points in Kennebec County until the resolution of issues concerning software

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compatibility and cost has been accomplished. This amendment requires the Public Utilities Commission within its existing resources to work with the Department of Public Safety and affected municipalities in Kennebec County to examine those issues and to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy no later than January 1, 2008. The amendment authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

Senate Amendment "C" (S-335)

This amendment (not adopted) eliminates the requirement that the Public Utilities Commission amend its rules to require 2 public safety answering points in Kennebec County and instead delays implementation of the consolidation of public safety answering points in Kennebec County until October 1, 2009. This amendment requires the Department of Public Safety within its existing resources to work with the Public Utilities Commission and affected municipalities in Kennebec County to examine issues concerning software compatibility and cost and other potential configurations. It requires the department to identify a mechanism to ensure that any savings that will accrue from consolidation of public safety answering points in Kennebec County are returned to the affected member municipalities. It also requires the department to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy no later than January 1, 2008 and authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

LD 627 An Act To Ensure Uniform Emergency Medical Dispatch Services in Maine

**PUBLIC 42
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	OTP-AM	H-30

This bill clarifies the emergency medical dispatch (EMD) role of public safety answering points (PSAP) and requires state licensure for all persons and entities engaged in EMD. The current statute requires certification only for PSAPs and dispatchers who are employed by the PSAPs. This bill provides flexibility for PSAPs to enter into cooperative agreements with non-PSAPs to provide EMD services and ensures that non-PSAPs engaged in EMD do so in accordance with rules established by the Emergency Medical Services' Board.

Committee Amendment "A" (H-30)

This amendment eliminates a reference to January 1, 2007 in the bill to ensure that all provisions contained in the bill take effect upon the effective date of the legislation.

Enacted Law Summary

Public Law 2007, chapter 42 clarifies the emergency medical dispatch (EMD) role of public safety answering points (PSAP) and requires state licensure for all persons and entities engaged in EMD. This law provides flexibility for PSAPs to enter into cooperative agreements with non-PSAPs to provide EMD services and ensures that non-PSAPs engaged in EMD do so in accordance with rules established by the Emergency Medical Services' Board.

Public Law 2007, chapter 42 was enacted as an emergency measure effective April 10, 2007.

LD 645 An Act To Promote Municipal Energy Conservation

PUBLIC 66

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EBERLE BARTLETT	OTP-AM	H-45

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This bill establishes funding to provide grants to municipalities to identify cost-effective energy conservation measures and improvements to municipal buildings and municipal vehicle fleets to achieve energy savings. The bill provides for grants of up to \$40,000 for 5 to 10 municipalities annually. The bill directs the Maine Municipal Bond Bank to administer the grants and directs the bank to develop criteria for the grants in consultation with the Public Utilities Commission and the Executive Department, State Planning Office. The bill requires that conservation measures and improvements in municipal buildings identified with grant funds be identified through a comprehensive energy audit performed by a licensed professional engineer. The bill requires the bond bank to report on the program every 2 years to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters.

Committee Amendment "A" (H-45)

This amendment replaces the bill. The amendment modifies the existing Efficiency Partners Program to incorporate financing for energy audits. Under current law, the program is authorized to provide financing for cost-effective energy efficiency improvements to achieve energy cost savings in municipal and school buildings. The amendment also requires that an energy audit conducted under the program address compliance with the model building energy code adopted by the Public Utilities Commission instead of the standards for indoor air quality developed by the American Society of Heating, Refrigeration and Air Conditioning Engineers. The amendment adds provisions to the Efficiency Partners Program law to require the Maine Municipal Bond Bank to report annually on the program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. The amendment also makes technical changes to improve consistency and clarity in statutory language.

Enacted Law Summary

Public Law 2007, chapter 66 modifies the Efficiency Partners Program to incorporate financing for energy audits. This law requires that an energy audit conducted under the program address compliance with the model building energy code adopted by the Public Utilities Commission instead of the standards for indoor air quality developed by the American Society of Heating, Refrigeration and Air Conditioning Engineers. This law also requires the Maine Municipal Bond Bank to report annually on the program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters.

LD 678 An Act Regarding Eminent Domain Authority and Certificate of Public Convenience and Necessity Requirements for the Construction of Transmission Lines

PUBLIC 148

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-62

This bill requires a transmission and distribution utility to obtain a certificate of public convenience and necessity from the Public Utilities Commission for the construction, rebuilding or relocation of a transmission line before the utility can obtain approval from the commission for eminent domain authority to take private lands and easements for the transmission line.

Committee Amendment "A" (S-62)

This amendment replaces the bill. The amendment requires a transmission and distribution utility or other entity proposing to construct a transmission line to notify the Public Utilities Commission and in some cases obtain a certificate of public convenience and necessity from the commission prior to purchasing or leasing state-owned land for the purpose of constructing a transmission line. The amendment provides an exception from these requirements for the construction of a generator interconnection transmission facility. It also makes changes within the section of law governing the construction of transmission lines to provide consistency in the

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language used to refer to the entity proposing to construct a transmission line. The amendment also requires a transmission and distribution utility to obtain a certificate of public convenience and necessity from the commission for the construction of a transmission line before the utility may exercise the right of eminent domain for lands and easements for the location of the transmission line.

Enacted Law Summary

Public Law 2007, chapter 148 requires a transmission and distribution utility or other entity proposing to construct a transmission line to notify the Public Utilities Commission and in some cases obtain a certificate of public convenience and necessity from the commission prior to purchasing or leasing state-owned land for the purpose of constructing a transmission line. The law provides an exception from these requirements for the construction of a generator interconnection transmission facility. It also makes changes within the section of statute governing the construction of transmission lines to provide consistency in the language used to refer to the entity proposing to construct a transmission line. The law also requires a transmission and distribution utility to obtain a certificate of public convenience and necessity from the commission for the construction of a transmission line before the utility may exercise the right of eminent domain for lands and easements for the location of the transmission line.

LD 710 An Act To Promote Rural Broadband Access

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to establish a position in State Government with the mission of promoting the development of telecommunications infrastructure and capacity in rural areas of this State. This position would be charged with coordinating the State's efforts to identify need, create options and provide support at the local level. This position would provide advocacy and technical support to help communities, businesses and nonprofits obtain funds that would help advance their communications vision. This bill also seeks to establish a challenge grant fund that would leverage funds available from a variety of sources, including funds currently available from the Federal Government, to expand broadband access in rural areas.

The Joint Standing Committee on Utilities and Energy, by letter dated 4/13/07, requested that the ConnectME Authority place a high priority on identifying and securing federal funds and other funding sources to promote the expansion of broadband service in rural areas and dedicate staff resources to this task.

LD 742 An Act Concerning Wholesale Power Purchases by Consumer-owned Transmission and Distribution Utilities

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER SHERMAN	ONTP	

This bill creates an exemption from the requirement that all customers of electricity have the right to purchase generation services directly from competitive electricity providers, known as the "retail access" right. This exemption is provided for customers of consumer-owned transmission and distribution utilities that choose to enter into wholesale power purchase contracts or standard-offer service contracts on behalf of all of their customers, except that customers who entered into separate retail power purchase contracts before the effective date of the wholesale power purchase contract are allowed purchase generation under that contract until it expires.

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LD 743 An Act To Allow Transmission and Distribution Utilities To Generate and Sell Power ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE SMITH D	ONTP	

This bill removes the provisions in current law that prohibit investor-owned transmission and distribution utilities from owning and operating electric generation facilities and from selling electric energy to consumers at retail, including those provisions that require such utilities to divest generation assets and generation-related business activity. The bill requires the Public Utilities Commission to adopt rules to govern the ownership of generation assets, generation of electricity and retail sale of electricity by investor-owned transmission and distribution utilities.

LD 759 An Act To Increase the Percentage of Renewable Power in Systems of Very Large Investor-owned Transmission and Distribution Utilities ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD	ONTP	

This bill requires that, beginning in 2008, a competitive electricity provider selling electricity to the public in an area served by an investor-owned transmission and distribution utility that serves more than 500,000 customers in the State must increase the percentage of its portfolio of supply sources provided by renewable resources. Specifically, such a competitive electricity provider must increase the percentage of its supply portfolio provided by eligible resources, including renewable and efficient resources, by one percentage point per year, beginning at the current requirement of 30% and increasing from 31% to 40% in the years 2008 through 2017.

LD 764 An Act To Clarify Standards for Issuance of a Certificate of Public Convenience and Necessity ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAIRCLOTH	ONTP	

This bill applies to the construction of transmission lines capable of operating at more than 138 kilovolts and occupying the submerged lands of the State. The bill prohibits the Bureau of Parks and Lands from leasing submerged lands for such a transmission line, unless the Public Utilities Commission determines that the transmission line will reduce the cost of electricity to Maine consumers. The bill also prohibits the Public Utilities Commission from granting a certificate of public convenience and necessity for such a transmission line, unless the commission finds that the transmission line will reduce the cost of electricity to Maine consumers.

**LD 765 Resolve, Regarding Legislative Review of Portions of ConnectME Authority, Chapter 101, a Major Substantive Rule of the Governor's Office RESOLVE 27
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-79

This resolve provides for legislative review of portions of ConnectME Authority, Chapter 101, a major substantive rule of the Governor's Office.

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Committee Amendment "A" (H-79)

This amendment authorizes final adoption of ConnectME Authority, Chapter 101, a provisionally adopted major substantive rule of the Governor's Office, as long as certain changes to the rule are made to clarify the definition of broadband service provider, to limit the requirement imposed on mobile communications service providers to file mapping and service description information to those mobile communications service providers contributing to the ConnectME Fund and to amend the section of the rule regarding applications for funding from the ConnectME Authority to specify requirements for the content of the application and the application evaluation process to be used by the authority.

Enacted Law Summary

Resolve 2007, chapter 27 authorizes final adoption of ConnectME Authority, Chapter 101, a provisionally adopted major substantive rule of the Governor's Office, as long as certain changes to the rule are made to clarify the definition of broadband service provider, to limit the requirement imposed on mobile communications service providers to file mapping and service description information to those mobile communications service providers contributing to the ConnectME Fund and to amend the section of the rule regarding applications for funding from the ConnectME Authority to specify requirements for the content of the application and the application evaluation process to be used by the authority.

Resolve 2007, chapter 27 was enacted as an emergency measure effective May 16, 2007.

LD 795 An Act Regarding the Solar Energy Rebate Program

PUBLIC 158

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT	OTP-AM	S-67

This bill extends the Public Utilities Commission's solar energy rebate program for an additional 2 years, changing the repeal date from December 31, 2008 to December 31, 2010.

Committee Amendment "A" (S-67)

This amendment adds a provision to the bill to require that in order to qualify for a rebate for a solar photovoltaic system under the Public Utilities Commission's solar energy rebate program, the homeowner or tenant must demonstrate to the satisfaction of the commission that an energy audit of the property has been completed.

Enacted Law Summary

Public Law 2007, chapter 158 extends the Public Utilities Commission's solar energy rebate program for an additional 2 years, changing the repeal date from December 31, 2008 to December 31, 2010. The law also requires that in order to qualify for a rebate for a solar photovoltaic system under the program, a homeowner or tenant must demonstrate to the satisfaction of the commission that an energy audit of the property has been completed.

LD 813 An Act To Provide an Energy Allowance to At-home Patients Using Ventilators

PUBLIC 97

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROWNE	OTP-AM	H-89

This bill adds ventilators to the equitable-treatment program that currently covers low-income electricity consumers who for health reasons need an oxygen pump for at least 8 hours each day.

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Committee Amendment "A" (H-89)

This amendment adds a provision to the bill to require the Public Utilities Commission to report annually to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the low-income assistance programs for residential electricity consumers and the equitable-treatment program for low-income program participants who require an oxygen pump or ventilator for at least 8 hours each day. The amendment also requires the commission to examine medical devices that may be appropriate for inclusion in the equitable-treatment program and report its findings to the Joint Standing Committee on Utilities and Energy no later than January 15, 2008.

Enacted Law Summary

Public Law 2007, chapter 97 adds coverage for persons who need a ventilator at least 8 hours a day to the equitable-treatment program for low-income electricity consumers that currently covers those who for health reasons need an oxygen pump for at least 8 hour each day. This law requires the Public Utilities Commission to report annually to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the low-income assistance programs for residential electricity consumers and the equitable-treatment program for low-income program participants who require an oxygen pump or ventilator for at least 8 hours each day. The law also requires the commission to examine medical devices that may be appropriate for inclusion in the equitable-treatment program and report its findings to the Joint Standing Committee on Utilities and Energy no later than January 15, 2008.

LD 878 An Act To Amend the Charter of the Harrison Water District

P & S 4
EMERGENCY

Sponsor(s)

SYKES

Committee Report

OTP

Amendments Adopted

The bill amends the charter of the Harrison Water District to clarify the territorial limits of the district by changing references to reflect the correct names or route numbers of roads. The bill also amends the charter to change how a vacancy on the Harrison Water District board of trustees that leaves an unexpired term is filled from having to hold a special election to having the board of trustees appoint a person and to change the compensation paid to a trustee from \$200 a year to a maximum of \$600 a year. This bill also amends the charter to specify that rates must be established in accordance with Maine Revised Statutes, Title 35-A, section 6105.

Enacted Law Summary

Private and Special Law 2007, chapter 4 amends the charter of the Harrison Water District to clarify the territorial limits of the district by changing references to reflect the correct names or route numbers of roads. The law amends the charter to change how a vacancy on the Harrison Water District board of trustees that leaves an unexpired term is filled from having to hold a special election to having the board of trustees appoint a person and to change the compensation paid to a trustee from \$200 a year to a maximum of \$600 a year. This law also amends the charter to specify that rates must be established in accordance with Maine Revised Statutes, Title 35-A, section 6105.

Private and Special Law 2007, chapter 4 was enacted as an emergency measure effective April 9, 2007.

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LD 940 Resolve, To Protect the Future of the Sebago Lake Water Supply

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRESSEY	ONTP MAJ OTP MIN	

This resolve requires that if the boat ramp located on Sebago Lake in Sebago Lake Village in Standish is moved more than 1/2 mile from where it is located as of December 31, 2006, then the boat ramp must be moved out of the 2-mile "no bodily contact zone" as established by the Portland Water District Board of Trustees.

LD 941 An Act To Amend the Charter of the Long Pond Water District

**P & S 5
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EATON	OTP	

This bill changes the territory of the Long Pond Water District, which serves the Town of Sorrento and a portion of the Town of Sullivan, to increase its service territory within the Town of Sullivan. The bill also changes the composition of the board of trustees of the district to give the Town of Sullivan greater representation by decreasing the number of trustees from the Town of Sorrento from 4 to 3 and increasing the number of trustees from the Town of Sullivan from one to 2.

Enacted Law Summary

Private and Special Law 2007, chapter 5 changes the territory of the Long Pond Water District, which serves the Town of Sorrento and a portion of the Town of Sullivan, to increase its service territory within the Town of Sullivan. The law also changes the composition of the board of trustees of the district to give the Town of Sullivan greater representation by decreasing the number of trustees from the Town of Sorrento from 4 to 3 and increasing the number of trustees from the Town of Sullivan from one to 2.

Private and Special Law 2007, chapter 5 was enacted as an emergency measure effective April 9, 2007.

LD 969 Resolve, Regarding Legislative Review of Chapter 316, Long Term Contracting and Resource Adequacy, a Major Substantive Rule of the Public Utilities Commission

**RESOLVE 35
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-178

This resolve provides for legislative review of Chapter 316, Long Term Contracting and Resource Adequacy, a major substantive rule of the Public Utilities Commission.

Committee Amendment "A" (H-178)

This amendment adds a provision to the resolve to provide allocations of Other Special Revenue Funds to carry out the provisions of Chapter 316, Long Term Contracting and Resource Adequacy, a major substantive rule of the Public Utilities Commission.

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Enacted Law Summary

Resolve 2007, chapter 35 authorizes final adoption of Chapter 316, Long Term Contracting and Resource Adequacy, a major substantive rule of the Public Utilities Commission and provides allocations of Other Special Revenue Funds to carry out the provisions of Chapter 316.

Resolve 2007 was enacted as an emergency measure effective April 9, 2007.

LD 993 An Act To Amend the Charter of the Winterport Water District

P & S 8

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WESTON	OTP	

This bill extends the Winterport Water District's authority to disconnect water service for nonpayment of sewer service by one year so that this authority sunsets 90 days after adjournment of the First Regular Session of the 124th Legislature. The bill also extends by one year, to January 15, 2009, the Public Utilities Commission's responsibility to monitor and report to the Joint Standing Committee on Utilities and Energy on the Winterport Water District's use of this authority and extends by one year the committee's authority to report out legislation on this issue.

Enacted Law Summary

Private and Special Law 2007, chapter 8 extends the Winterport Water District's authority to disconnect water service for nonpayment of sewer service by one year so that this authority sunsets 90 days after adjournment of the First Regular Session of the 124th Legislature. The law also extends by one year, to January 15, 2009, the Public Utilities Commission's responsibility to monitor and report to the Joint Standing Committee on Utilities and Energy on the Winterport Water District's use of this authority and extends by one year the committee's authority to report out legislation on this issue.

LD 1012 Resolve, To Require the Emergency Services Communication Bureau To Send E-9-1-1 Changes of Address Information to State Licensing Agencies

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	ONTP	

This resolve requires the Director of the Emergency Services Communication Bureau within the Public Utilities Commission to provide E-9-1-1 address change information to state agencies that issue licenses, permits or registrations. It requires that the information include E-9-1-1 address changes since the implementation of E-9-1-1.

LD 1030 An Act To Encourage Cogeneration

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	ONTP	

This bill establishes a revolving loan program administered by the Finance Authority of Maine to provide loans for the development, construction, expansion and modernization of cogeneration facilities. Under the program, direct loans may be given to finance all or part of a cogeneration project if the facility is designed to use renewable resources for its energy input and the project meets additional criteria regarding permits and approvals, financing

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and terms of the loan. The bill requires the Finance Authority of Maine to consult with the Public Utilities Commission in developing rules to implement the program and requires the authority to report annually on the program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters.

LD 1063 An Act Regarding Cable Television Service Outages

PUBLIC 104

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-111

This bill reduces from 6 hours to 2 hours the amount of cable service outage time after which customers can receive a prorated reimbursement for the time lost. This bill also makes the reimbursement for lost time automatic by eliminating the requirement that the customer request reimbursement for lost time.

Committee Amendment "A" (H-111)

This amendment replaces the bill. The amendment requires cable television franchisees to provide a notice on subscriber bills of the right to a credit or rebate for interruption of service for 6 or more consecutive hours.

Enacted Law Summary

Public Law 2007, chapter 104 requires cable television franchisees to provide a notice on subscriber bills of the right to a credit or rebate for interruption of service for 6 or more consecutive hours.

LD 1068 An Act To Enhance Maine's Energy Independence and Security

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH BARTLETT	ONTP	

This bill amends the section of law that establishes targets for the State to increase the proportion of electricity supplied by new renewable generating capacity. It specifies that each competitive electricity provider must demonstrate that no less than 1% of the portfolio of supply sources for retail electricity sales is accounted for by new capacity resources beginning in 2008 and increasing 1 percentage point per year to reach a goal of 10% in 2017. It provides a preventive mechanism that would permit the Public Utilities Commission to suspend all or part of the new capacity resources portfolio requirement if new investment is not being stimulated.

LD 1071 An Act Regarding Energy-generating Facilities

PUBLIC 160

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS BARTLETT	OTP-AM	H-134

This bill amends the laws governing the state permit process and requirements for hydropower projects to address their application to hydropower projects that use tidal energy to produce electricity. The bill requires that the Department of Environmental Protection conduct an adjudicatory hearing prior to the approval or disapproval of a tidal power project. The bill also clarifies the existing hydropower project approval criteria to account for the potential impacts of tidal power projects on marine resources and submerged or intertidal lands. The bill requires the Department of Environmental Protection to lead a review of laws and rules governing the permitting of hydropower projects to make recommendations to amend these laws and rules to reflect the legal, policy and

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technical issues presented by the development of tidal energy projects and issue a report by January 1, 2008. The bill authorizes the Joint Standing Committee on Utilities and Energy to submit legislation related to the permitting of tidal power projects to the Second Regular Session of the 123rd Legislature following its review of the report. Finally, this bill also adds references to submerged lands in the natural resources protection laws.

Committee Amendment "A" (H-134)

This amendment replaces the bill. It amends the definition of "hydropower project" in the Maine Waterway Development and Conservation Act to clarify that the definition includes hydropower projects that use tidal energy or wave energy to produce electricity. It also clarifies that the requirement to obtain a permit for structural alteration of a hydropower project is not limited to those projects that include a dam.

Enacted Law Summary

Public Law 2007, chapter 160 amends the definition of "hydropower project" in the Maine Waterway Development and Conservation Act to clarify that the definition includes hydropower projects that use tidal energy or wave energy to produce electricity. It also clarifies that the requirement to obtain a permit for structural alteration of a hydropower project is not limited to those projects that include a dam.

LD 1079 **Resolve, Establishing the Commission To Study Biofuel Use in School Districts**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRIEST SNOWE-MELLO	ONTP	

This resolve establishes the Commission to Study Biofuel Use in School Districts. The resolve requires the commission to report to the Second Regular Session of the 123rd Legislature by January 15, 2008, with recommendations and suggested legislation to encourage the use of biofuels by school systems in the State.

The Joint Standing Committee on Utilities and Energy, by letter dated 4/13/07, requested that the Governor's Office on Energy Independence and Security address the issues presented in LD 1079 and LD 409 and report back to the committee by January 15, 2008.

LD 1098 **An Act To Promote Electricity Transmission Independence**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS		

This bill allows the Public Utilities Commission to order the transfer or divestiture of a transmission and distribution utility's transmission or transmission-related assets if the commission finds it will lower costs of electricity to consumers in the State, will not have a negative impact on the operation of the transmission system and is in the public interest, or if the commission finds that the utility constructed a transmission line without approval from the commission, that is, without obtaining a certificate of public convenience and necessity.

The bill provides that if the commission orders such a transfer or divestiture, it may order that the transmission assets be sold or transferred to an independent transmission company. The terms of the transfer or divestiture must be approved by the commission and provide fair compensation, and the transfer or divestiture must occur within 12 months of the order.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

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LD 1099 An Act To Encourage Wind Energy Development

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING		S-313

This bill does the following to encourage wind energy:

1. It allows the Finance Authority of Maine and the Public Utilities Commission to establish a program to increase the financial capacity of the Finance Authority of Maine programs to assist in financing wind energy development and allows the use of funds from the conservation program fund;
2. It allows the State to provide the benefits of Pine Tree Development Zone eligibility to wind energy projects;
3. It declares that enhancement of electricity transmission from northern and eastern to southern areas of the State is essential to wind energy development;
4. It makes permanent the community wind power generator tax credit by removing the scheduled repeal under current law of that tax credit on December 31, 2007; and
5. It provides for the Department of Environmental Protection, Board of Environmental Protection to adopt major substantive rules for streamlined permitting of wind energy projects and the designation by the State of preferred areas for viable wind energy project development.

Committee Amendment "A" (S-313)

This amendment replaces the bill. The amendment makes one change to current law related to wind energy. Specifically, the amendment extends the community wind power generator tax credit in current law by changing the repeal date for this tax credit from December 31, 2007 to December 31, 2009.

This bill, as amended by Committee Amendment "A" (S-313), was placed on the Special Appropriations Table pending enactment. The bill was subsequently taken from the table, committed to the Joint Standing Committee on Utilities and Energy and carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

**LD 1143 An Act To Prevent the Public Utilities Commission from Disclosing
Private Information to the Federal Government**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	ONTP	

This bill requires the chair of the Public Utilities Commission to inform the joint standing committee of the Legislature having jurisdiction over utilities matters if the Public Utilities Commission provides records containing personal information to the Federal Government without a warrant or court order and of a complaint made against the commission for divulging records containing personal information to the Federal Government without a warrant or court order.

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LD 1148 An Act To Protect Electric Ratepayers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAUTIGAM PERRY J	ONTP	

This bill imposes an excise tax on the capacity of electricity producers with more than 20 megawatts of capacity. Revenue from the tax is distributed by the Public Utilities Commission to individual electricity ratepayers based on the amount paid for the generation of electricity by those ratepayers.

**LD 1151 An Act To Streamline the Review of Minor Tariff Filings of
Consumer-owned Water Utilities**

PUBLIC 127

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FITTS	OTP-AM	H-119

This bill seeks to exempt a rate, toll or charge by a consumer-owned water utility for a service other than the provision of water that will not increase the revenues of a consumer-owned water utility by more than 1% from statutory requirement that rate changes of consumer-owned water utilities be subject to suspension, investigation, hearing and rate substitution by the Public Utilities Commission.

Committee Amendment "A" (H-119)

This amendment replaces the bill. The amendment clarifies the exception to the laws that require that rate changes of consumer-owned water utilities be subject to suspension, investigation, hearing or rate substitution by the Public Utilities Commission that is proposed in the bill. The exception is limited to changes in rates or charges for services other than the provision of water, as in the bill. The amendment specifies that the cumulative effect of such changes over a 12-month period may not exceed 1% of total annual revenue. The amendment also places the exception in a more relevant section of the law.

Enacted Law Summary

Public Law 2007, chapter 127 provides an exception to the laws that require that rate changes of consumer-owned water utilities be subject to suspension, investigation, hearing or rate substitution by the Public Utilities Commission. The exception is limited to changes in rates or charges for services other than the provision of water and the cumulative effect of such changes over a 12-month period may not exceed 1% of total annual revenue.

**LD 1153 An Act To Allow Affordable Housing Discretionary Water and Sewer
Fee Waivers**

PUBLIC 174

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHASE	OTP-AM MAJ ONTP MIN	H-211

Current law requires that rates charged by water, sewer and sanitary districts are uniform within the territory of the district whenever the cost of service is uniform. This bill provides an exception to the uniform rate requirement for affordable housing. Specifically, the bill grants water, sewer and sanitary districts the authority to reduce or waive the rates charged to affordable housing properties within the districts. The bill also requires that the reduction in the rates is credited directly to the associated customer account.

Joint Standing Committee on Utilities and Energy

Committee Amendment "A" (H-211)

This amendment replaces the bill and is the majority report of the committee. The amendment enables the governing body of a quasi-municipal or municipal water or sewer utility to reduce the connection fee or impact fee charged for the establishment of service when that service is being provided to newly constructed affordable housing units that are owner-occupied, single-family dwellings or condominiums. Any reduced connection fee or impact fee must be applied uniformly and must be credited to the purchaser of the affordable housing unit. The water or sewer utility is required to notify ratepayers of any reduction in the connection fee or impact fee and may allocate the cost of the fee reduction across all ratepayers.

Enacted Law Summary

Public Law 2007, chapter 174 allows the governing body of a quasi-municipal or municipal water or sewer utility to reduce the connection fee or impact fee charged for the establishment of service when that service is being provided to newly constructed affordable housing units that are owner-occupied, single-family dwellings or condominiums. The law requires that any reduced connection fee or impact fee must be applied uniformly and must be credited to the purchaser of the affordable housing unit. The water or sewer utility is required to notify ratepayers of any reduction in the connection fee or impact fee and may allocate the cost of the fee reduction across all ratepayers.

LD 1160 **Resolve, To Encourage the Development of Water Power To Provide for Maine's Energy Needs**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	ONTP	

This bill directs the Department of Environmental Protection to study a plan for a pilot program to use the hydropower potential of the State. It requires the department to canvass all of the State's inland water bodies to determine the potential of each for generating electricity, including feasibility and cost, and it requires the department to report its findings by January 31, 2008, to the Joint Standing Committee on Utilities and Energy and the Joint Standing Committee on Natural Resources.

LD 1205 **An Act To Amend the Laws Preventing the Pollution of Portland's Water Supply**

P & S 15

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP	

This bill updates and clarifies the private and special law governing the protection of the water supply for the Portland Water District and increases fines for contact with the waters of Sebago Lake within 2 miles of the Portland Water District intake pipes and for trespassing on land acquired by the district to protect its water supply.

Enacted Law Summary

Private and Special Law 2007, chapter 15 updates and clarifies the law governing the protection of the water supply for the Portland Water District and increases fines for contact with the waters of Sebago Lake within 2 miles of the Portland Water District intake pipes and for trespassing on land acquired by the district to protect its water supply.

Joint Standing Committee on Utilities and Energy

**LD 1216 Resolve, To Establish a Study Commission To Stimulate
Telecommunications Investment, Economic Development and Job
Creation**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS		

This resolve is a concept draft pursuant to Joint Rule 208. The resolve proposes to establish a study commission to study the current regulations in the telecommunications industry and develop recommendations to promote investment, economic development and job creation.

This resolve was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

**LD 1221 An Act To Amend the Charter of the Kennebunk Light and Power
District**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN		

This bill amends the Kennebunk Light and Power District charter to allow Kennebunk Light and Power District to provide retail electric service throughout the entire Town of Kennebunk subject to referendum and without the need to obtain prior approval of the Public Utilities Commission under the Maine Revised Statutes, Title 35-A, sections 2102, 2105 and 2110. The bill also authorizes Kennebunk Light and Power District to acquire by purchase the properties and rights of any public utility currently serving in those areas where the charter amendment would allow Kennebunk Light and Power District to extend its services. The bill also authorizes the Public Utilities Commission to resolve disputes or disagreements between Kennebunk Light and Power District and any public utility as to the valuation of facilities to be purchased by Kennebec Light and Power District and as to the severance and realignment of facilities rated 50 kilovolts or below as a result of the purchase.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 1236 An Act To Create the Princeton Water District

**P & S 6
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEOD	OTP	

This bill creates the Princeton Water District as a standard water district pursuant to Maine Revised Statutes, Title 35-A, chapter 64, subject to approval by referendum vote.

Enacted Law Summary

Private and Special Law 2007, chapter 6 creates the Princeton Water District as a standard water district pursuant to Maine Revised Statutes, Title 35-A, chapter 64, subject to approval by referendum vote.

Private and Special Law 2007, chapter 6 was enacted as an emergency measure effective April 12, 2007, for the purpose of permitting its submission to the voters of the district in a referendum.

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LD 1248 An Act To Establish the Northern Maine Power Agency

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN		

This bill establishes the Northern Maine Power Agency in order to obtain power supply for standard offer service to construct or lease and operate transmission facilities to the 4 utilities participating in the northern Maine independent system administrator.

The Joint Standing Committee on Utilities and Energy, by letter dated 6/14/07, requested that the Public Utilities Commission continue its inquiry (Docket No. 2006-513) into the lack of competition in the northern Maine electricity market and report its findings and recommendations to the committee no later than August 31, 2007.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

**LD 1284 Resolve, Regarding the Organization and Administration of Energy
Policy Responsibilities within State Government**

RESOLVE 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-125

This bill creates the Office of Energy Independence as a stand-alone office within the Executive Department that is dedicated to the formulation, coordination and management of state energy policy for the purpose of increasing the energy independence of the State.

The bill removes from the Executive Department, State Planning Office the energy-related powers, duties, responsibilities and programs assigned to the State Planning Office under current law and assigns them to the new Office of Energy Independence. Specific programmatic responsibilities that are transferred to the Office of Energy Independence include management of the Energy Resources Council, the energy resources development program and data collection and reporting of petroleum inventories and deliveries.

The bill establishes the powers and duties of the Office of Energy Independence, which include: coordinating the development and implementation of policies to achieve energy independence and to reduce growth in energy demand through cost-effective efficiency measures; collecting and analyzing energy data; preparing a biennial energy independence plan; supporting research to develop alternative energy resources; identifying conservation alternatives to new generation and transmission and distribution facilities; coordinating the actions of state agencies that affect energy consumption; and conducting studies and policy analysis related to energy issues at the request of the Governor and the Legislature.

The bill requires the Office of Energy Independence to develop the following 3 specific initiatives and submit a report on each initiative to the Joint Standing Committee on Utilities and Energy by January 31, 2008:

1. A biofuel action plan to increase the availability and use of biofuels in the State;
2. A renewable energy investment program to support the development and operation of renewable energy generation facilities within the State through consumer purchase of renewable energy certificates; and

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3. A green communities program to support and recognize communities in the State that take steps to become more energy independent, reduce reliance on fossil fuels and increase reliance on renewable energy resources.

The bill authorizes the committee to submit legislation regarding each of these initiatives to the Second Regular Session of the 123rd Legislature following its review of the report on each initiative.

The bill requires the Office of Energy Independence, in consultation with the Public Utilities Commission and the State Planning Office, to review the laws governing the Office of Energy Independence and other state laws relating to the functions of that office. It requires the Office of Energy Independence to submit a report on the results of the review, including recommended legislation, to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation related to the report.

Committee Amendment "A" (S-125)

This amendment replaces the bill with a resolve. The amendment directs the Executive Department, Office of Energy Independence and Security to conduct a review of the current policy-making and administrative structures and functions within State Government relating to energy policy and to develop recommendations regarding the organization of energy-related responsibilities within a clearly defined statutory framework that provides for well-coordinated and efficient formulation, management and administration of state energy policy. The amendment directs the office to consider, as part of its review, ideas for advancing the development of energy independence policy initiatives to support biofuels, renewable energy, cogeneration and green communities. The amendment requires the office to submit a report and recommendations to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 59 directs the Executive Department, Office of Energy Independence and Security to conduct a review of the current policy-making and administrative structures and functions within State Government relating to energy policy and to develop recommendations regarding the organization of energy-related responsibilities within a clearly defined statutory framework that provides for well-coordinated and efficient formulation, management and administration of state energy policy. The resolve directs the office to consider, as part of its review, ideas for advancing the development of energy independence policy initiatives to support biofuels, renewable energy, cogeneration and green communities. The resolve requires the office to submit a report and recommendations to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the joint standing committee to submit legislation to the Second Regular Session of the 123rd Legislature.

LD 1302 Resolve, To Preserve Maine's Electric Energy Infrastructure

RESOLVE 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEOD	OTP MAJ OTP-AM MIN	

This resolve directs the Department of Environmental Protection to report by January 1, 2008, to the Joint Standing Committee on Utilities and Energy on the quantitative criteria that the department uses to fulfill the standards of the Maine Waterway Development and Conservation Act with respect to assessing the value of hydropower generation. The report must include the methods used by the department to determine the current and future value of renewable energy in terms of electricity costs, indigenous production, greenhouse gases and fossil fuel independence.

Committee Amendment "A" (H-152)

This amendment (not adopted) is the minority report of the committee. The amendment retains the requirement

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that the Department of Environmental Protection report on the criteria it uses to fulfill the standards of the Maine Waterway Development and Conservation Act with respect to assessing the value of hydropower generation, but removes the specific focus on quantitative criteria and amends the content of the report to include a summary of written findings of fact from a representative sample of cases and written explanation of how the findings of fact are used in decisions regarding hydropower projects.

Enacted Law Summary

Resolve 2007, chapter 37 directs the Department of Environmental Protection to report by January 1, 2008, to the Joint Standing Committee on Utilities and Energy on the quantitative criteria that the department uses to fulfill the standards of the Maine Waterway Development and Conservation Act with respect to assessing the value of hydropower generation. The report must include the methods used by the department to determine the current and future value of renewable energy in terms of electricity costs, indigenous production, greenhouse gases and fossil fuel independence.

LD 1303 An Act To Establish the Columbia Falls Village Water District

**P & S 12
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIBBETTS	OTP-AM	H-112

This bill creates the Columbia Falls Village Water District, subject to approval by referendum vote. The bill also gives the district the authority to purchase the property and franchises of the Allen Water Company upon approval by the Public Utilities Commission.

Committee Amendment "A" (H-112)

This amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Private and Special Law 2007, chapter 12 creates the Columbia Falls Village Water District, subject to approval by referendum vote. The bill also gives the district the authority to purchase the property and franchises of the Allen Water Company upon approval by the Public Utilities Commission.

Private and Special Law 2007, chapter 12 was enacted as an emergency measure effective May 11, 2007, for the purpose of permitting its submission to the voters of the district in a referendum.

LD 1331 An Act To Encourage Community Wind Power Projects

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD	ONTP	

This bill establishes an incentive payment of 1.5¢ per kilowatt-hour to qualifying community wind energy projects for the first 10 years of turbine operation on all electricity sold back to the electricity distribution system. The bill directs the Public Utilities Commission to administer the incentive payment program and to create a community wind energy advisory office to assist potential developers of community wind energy projects with site identification, wind measurement, feasibility analysis and other tasks required for project development. To qualify for the production incentive payment, a wind energy project must generate between 600 kilowatts and 2 megawatts of power, be locally owned, be sited in a location with a class 3 or higher wind resource, be interconnected with the electricity distribution system and have an agreement to sell power generated by the project. The bill requires

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transmission and distribution utilities to offer a standard purchase agreement and standard purchase tariff for power generated by community wind energy projects.

LD 1339 *Resolve, To Reduce Energy Costs for Consumers*

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAUTIGAM	ONTP	

This resolve requires the Public Utilities Commission to work with electric utilities to institute a pilot program to promote the use of "smart meters" in electricity billing. The resolve requires the commission to report its findings and recommendations concerning the promotion of smart meters to the Joint Standing Committee on Utilities and Energy by January 4, 2008 and authorizes the committee to submit legislation concerning the promotion of the use of smart meters to the Second Regular Session of the 123rd Legislature.

LD 1340 *An Act To Enhance the Reliability and Competitiveness of Maine's Electricity Market*

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDGECOMB	ONTP	

This bill allows the Public Utilities Commission to order investor-owned transmission and distribution utilities to own or control generation assets if the commission determines that ownership or control is necessary to provide reliable and efficient service.

LD 1346 *An Act To Enhance Maine's Energy Independence and Reduce Electricity Costs*

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER	ONTP	

Current law establishes as a policy of the State the goal of increasing the share of new renewable capacity resources as a percentage of the total capacity resources in this State by 10% by 2017. This bill implements that policy goal by establishing portfolio requirements for new renewable capacity resources, beginning at 1% for calendar year 2008 and increasing by one percentage point per year until 2017.

The bill allows competitive electricity providers to meet the new renewable capacity portfolio requirements through the use of renewable energy credits or an alternative compliance payment mechanism to be established by the commission. It allows competitive electricity providers to meet the renewable portfolio requirements through the use of renewable energy credits without requiring that the Public Utilities Commission determine that a reliable system of electrical attribute trading exists.

The bill allows the Public Utilities Commission to suspend all or some of the new renewable capacity portfolio requirements if it finds that investment in new renewable capacity resources is insufficient and the resulting use of the renewable energy credits or the alternative payment system has burdened electricity customers, and it requires the commission to suspend the requirements if the alternative payment system is used to meet the portfolio requirements for 3 or more consecutive years. The bill requires the commission to report annually to the Legislature regarding the status of new renewable capacity resources in the State. Finally, the bill requires the Public Utilities Commission to establish a standard-offer service that is composed of 100% renewable

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resources beginning in 2009.

(LD 1920, enacted as Public Law 2007, chapter 403, relates to the same issues as LD 1346.)

**LD 1347 Resolve, Regarding Alternative Fuel Incentives To Stimulate the
Production, Distribution and Use of Biofuels**

RESOLVE 51

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-268

This bill creates the Alternative Fuels Incentive Act and the Alternative Fuels Incentive Fund to support the production, distribution and use of alternative fuels. The fund is funded by an annual assessment on public utilities and competitive service providers to produce \$3,000,000 annually and is administered by the Department of Environmental Protection. The fund may be used for grants to school districts, political subdivisions, nonprofit entities, corporations, limited liability companies and partnerships incorporated or registered in the State, reimbursements and rebates to support the use of alternative fuel vehicles and the production of alternative fuels, including a rebate for residents of the State who purchase a hybrid vehicle.

Committee Amendment "A" (H-268)

This amendment replaces the bill with a resolve. The amendment directs the Executive Department, Office of Energy Independence and Security to study and make policy recommendations regarding the establishment of an alternative fuel incentive program in the State to stimulate the production, distribution and use of biofuels. The amendment requires the Office of Energy Independence and Security to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2008 and authorizes the committee to submit legislation related to alternative fuel incentives to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 51 directs the Executive Department, Office of Energy Independence and Security to study and make policy recommendations regarding the establishment of an alternative fuel incentive program in the State to stimulate the production, distribution and use of biofuels. The resolve requires the Office of Energy Independence and Security to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2008 and authorizes the committee to submit legislation related to alternative fuel incentives to the Second Regular Session of the 123rd Legislature.

**LD 1360 An Act To Permit the University of Maine System To Install Lines on
Utility Facilities in Public Rights-of-way**

**PUBLIC 268
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM MAJ ONTP MIN	S-153

This bill requires that owners of utility facilities in a public right of way reasonably accommodate attachment of traffic control signals and appurtenances to their facilities without cost to the public. The bill also allows the University of Maine System to install poles and wires in public way rights-of-way for the purpose of transmitting data between and among its facilities and partnering education and research organizations.

Committee Amendment "A" (S-153)

This amendment is the majority report of the committee. The amendment strikes the provision of the bill

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regarding attachment of traffic control devices to utility facilities in or on a public right-of-way. The amendment changes the provision of the bill relating to the University of Maine System to specify that the authority granted to the university system is limited to the installation of lines or wires on existing utility facilities located in public rights-of-way.

Enacted Law Summary

Public Law 2007, chapter 268 allows the University of Maine System to install lines or wires on existing utility facilities located in public rights-of-way for the purpose of transmitting data between and among its facilities and partnering education and research organizations.

Public Law 2007, chapter 168 was enacted as an emergency measure effective June 4, 2007.

LD 1381 Resolve, To Ensure the Success of Regional Climate Change Efforts

RESOLVE 52

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER	OTP-AM	H-274

This resolve requires the Office of the Public Advocate to study the potential economic impacts on Maine electricity consumers of the regional greenhouse gas initiative (RGGI). The study must determine the possible range of cost impacts of RGGI on Maine electricity consumers on an annual basis for the first 10 years of the initiative; identify alternatives for reducing the cost impacts; determine the effect upon any manufacturing facility that acquires thermal and electric energy from a RGGI-designated power plant; and identify recipients of revenues derived from electricity consumers under RGGI. The resolve requires the Public Advocate to submit a report and any suggested legislation to reduce the costs of RGGI implementation to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation on this subject to the Second Regular Session of the 123rd Legislature.

Committee Amendment "A" (H-274)

This amendment makes several changes to the study of the regional greenhouse gas initiative contained in the resolve. The amendment directs the Office of the Public Advocate to convene a study group to examine issues related to the impact of the regional greenhouse gas initiative on electricity prices for Maine consumers and to identify potential strategies to reduce the costs. The amendment also eliminates the requirements in the resolve that the study determine the effect of the initiative on certain manufacturing facilities and identify recipients of revenues resulting from the initiative. The amendment retains the provisions in the resolve requiring the Office of the Public Advocate to submit a report by January 1, 2008 and authorizing the Joint Standing Committee on Utilities and Energy to submit legislation on this subject to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 52 directs the Office of the Public Advocate to convene a study group to examine issues related to the impact of the regional greenhouse gas initiative on electricity prices for Maine consumers and to identify potential strategies to reduce the costs. The resolve requires the Office of the Public Advocate to submit a report to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation on this subject to the Second Regular Session of the 123rd Legislature.

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LD 1382 An Act To Create a Utility District in Edgecomb

P & S 10

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKANE	OTP-AM	H-113

This bill creates the Edgecomb Utility District, subject to approval by referendum vote.

Committee Amendment "A" (H-113)

This amendment adds a provision to the bill to authorize the Edgecomb Utility District to purchase the water and wastewater assets of the Town of Edgecomb. It also incorporates that provision into the referendum question.

Enacted Law Summary

Private and Special Law 2007, chapter 10 creates the Edgecomb Utility District and authorizes the Edgecomb Utility District to purchase the water and wastewater assets of the Town of Edgecomb, subject to approval by referendum vote.

LD 1383 An Act To Enhance Availability of Emergency Telephone Services

PUBLIC 226

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM MAJ ONTP MIN	H-282

This bill requires local exchange carriers to provide dial tone for E-9-1-1 purposes, or "soft dial tone," on all residential customer telephone lines in the state. The "soft dial tone" must be maintained by the carrier regardless of whether telephone service is in place at the premises and must continue after telephone service is disconnected for any reason, for as long as the local exchange carrier is the last carrier to provide service at that location.

Committee Amendment "A" (H-282)

This amendment replaces the bill. The amendment requires the Public Utilities Commission to establish, by major substantive rule, requirements for the provision of E-9-1-1 access to the premises of a residential telephone customer when telephone service to the premises has been otherwise suspended or disconnected. The rules must address, but are not limited to, the circumstances in which E-9-1-1 access-only service is and is not required and which telephone service providers are and are not subject to the requirements. The amendment requires the commission to submit provisionally adopted rules to the Legislature by January 15, 2008 and authorizes the Joint Standing Committee on Utilities and Energy to submit legislation to the Second Regular Session of the 123rd Legislature regarding E-9-1-1 access-only service.

Enacted Law Summary

Public Law 2007, chapter 226 requires the Public Utilities Commission to establish, by major substantive rule, requirements for the provision of E-9-1-1 access to the premises of a residential telephone customer when telephone service to the premises has been otherwise suspended or disconnected. The rules must address, but are not limited to, the circumstances in which E-9-1-1 access-only service is and is not required and which telephone service providers are and are not subject to the requirements. The law requires the commission to submit provisionally adopted rules to the Legislature by January 15, 2008 and authorizes the Joint Standing Committee on Utilities and Energy to submit legislation to the Second Regular Session of the 123rd Legislature regarding E-9-1-1 access-only service.

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LD 1495 An Act To Reduce Additional State Fees for Consumer-owned Electric Utility Customers **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO	ONTP	

This bill provides that any state fee or other charge may not be imposed on a consumer-owned transmission and distribution utility or on its customers' bills unless it is approved by a 2/3 vote of all members of each House of the Legislature. The bill defines "state fee or other charge" as any fee or charge imposed by any state law or rule or by the Public Utilities Commission or any other state agency, except that it does not include state taxes under Title 36.

LD 1573 An Act To Encourage and Facilitate Regional Utility Districts **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	ONTP	

Under current law, a consumer-owned water utility may choose to make no investment in a water main extension and may require anyone requesting an extension to advance to the utility the entire cost of the extension. This bill grants that same authority to sewer districts and sanitary districts. Under current law, if a consumer-owner water utility chooses to invest consumer funds in water main extensions, the Public Utilities Commission provides clear policy and procedures governing investment in water main extensions, including investment amounts and the process for making such investments. This bill requires that a sewer district or sanitary district that chooses to invest in sewer main extensions first adopt similar investment policies for the protection of its ratepayers. The bill also prohibits a consumer-owned water utility, sewer district or sanitary district from lending district funds to any person requesting a water or sewer extension. The bill also specifies that the assets of water districts, sewer districts and sanitary districts are owned by the ratepayers of the district.

LD 1621 An Act To Ensure the Reliability of Communications Equipment in Certain Buildings **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	ONTP	

The intent of the bill is to improve the reliability of communications between emergency services providers and people inside buildings and structures in the event of an emergency. This bill establishes minimum requirements for radio and cellular telephone communications capabilities for the construction and renovation of certain buildings and structures.

LD 1625 An Act To Protect Maine Consumers from Windfall Profits of Generators **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill would authorize the State to impose a windfall profits tax on the increased revenues electric generators who are not required to purchase carbon dioxide offset

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credits under the Regional Greenhouse Gas Initiative will receive from the effect of carbon dioxide credit costs on the clearing price of electricity in New England. Only generators that sell electricity through the market administered by ISO-New England and that do not have to purchase carbon dioxide offset credits would be subject to the windfall profits tax. Revenues from the windfall profits tax would be held in trust and administered by the Public Utilities Commission to benefit electricity consumers.

LD 1644 *Resolve, To Establish a Stakeholder Group for the Establishment of Site Requirements for Wind Power*

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	ONTP	

This resolve directs the Maine Land Use Regulation Commission to create a stakeholder group to review and establish site requirements for wind power.

Related to the subject of this bill, the Governor's Task Force on Wind Power Development in Maine was established on May 8, 2007 by Executive Order 31 FY 06/07.

LD 1655 *Resolve, To Improve the Energy Efficiency of Residential and Commercial Buildings*

RESOLVE 93

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK	OTP-AM MAJ ONTP MIN	H-331

Currently, Maine law requires that all commercial new construction and renovation and multifamily residential construction must comply with the standards set forth in the Energy Efficiency Building Performance Standards Act. This bill requires that any new construction or renovation of any residential building must conform to the model building energy code developed by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 121. This bill also establishes an enforcement mechanism for ensuring compliance with the mandatory standards established for both residential and commercial construction.

Committee Amendment "A" (H-331)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission and the Maine State Housing Authority to study the feasibility of and make recommendations for state policies or programs designed to increase compliance with the Maine Model Building Energy Code. The amendment requires the Public Utilities Commission and the Maine State Housing Authority to report their findings to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation related to the resolve's subject matter to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 93 directs the Public Utilities Commission and the Maine State Housing Authority to study the feasibility of and make recommendations for state policies or programs designed to increase compliance with the Maine Model Building Energy Code. The resolve requires the Public Utilities Commission and the Maine State Housing Authority to report their findings to the Joint Standing Committee on Utilities and Energy by January 1, 2008 and authorizes the committee to submit legislation related to the resolve's subject matter to the Second Regular Session of the 123rd Legislature.

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LD 1656 An Act To Amend the Fryeburg Water District Charter

**P & S 11
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MUSE	OTP-AM	H-114

This bill authorizes the Fryeburg Water District to purchase assets in East Conway, New Hampshire and to purchase the common stock of the Fryeburg Water Company.

Committee Amendment "A" (H-114)

This amendment adds language to the bill to specify that the authority of the Fryeburg Water District to purchase the common stock of the Fryeburg Water Company is limited to the acquisition of the stock for the sole purpose of allowing the Fryeburg Water District to acquire the Fryeburg Water Company.

Enacted Law Summary

Private and Special Law 2007, chapter 11 authorizes the Fryeburg Water District to purchase assets in East Conway, New Hampshire and to purchase the common stock of the Fryeburg Water Company, provided that the purchase of the common stock is for the sole purpose of allowing the Fryeburg Water District to acquire the Fryeburg Water Company.

Private and Special Law 2007, chapter 11 was enacted as an emergency measure effective May 10, 2007.

LD 1666 Resolve, To Promote Energy Conservation in Schools

RESOLVE 55

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-281

This resolve includes three provisions to increase energy conservation in schools.

1. It directs the Public Utilities Commission to amend its rules to provide school districts with additional funds under the Public Utilities Commission's Maine High Performing Schools program for cost-effective energy efficiency projects;
2. It directs the State Board of Education to collaborate with the Public Utilities Commission to enact new energy efficiency standards for new construction and renovations of existing school facilities and allows the State Board of Education to use current renovation loan and grant funds for energy efficiency retrofitting of school facilities; and
3. It requires school administrative units to yearly report energy consumption data to the Department of Education so that the department, the Public Utilities Commission and the Governor's Energy Office may quantify taxpayer and carbon dioxide savings from energy efficiency programs and directs the Department of Education and Public Utilities Commission to set the goal of 30% reduction in overall public school energy consumption by the year 2014.

Committee Amendment "A" (H-281)

This amendment replaces the resolve. The amendment directs the Public Utilities Commission to develop a plan to increase energy efficiency and conservation in school facilities in the State, to promote opportunities for school

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administrative units to participate in the Public Utilities Commission's Efficiency Maine programs and to encourage data collection on school energy consumption and costs. The amendment requires the commission to report on the plan as part of the annual report of the Efficiency Maine program.

Enacted Law Summary

Resolve 2007, chapter 55 directs the Public Utilities Commission to develop a plan to increase energy efficiency and conservation in school facilities in the State, to promote opportunities for school administrative units to participate in the Public Utilities Commission's Efficiency Maine programs and to encourage data collection on school energy consumption and costs. The resolve requires the commission to report on the plan as part of the annual report that is required for the Efficiency Maine program.

LD 1675 **Resolve, Regarding Full, Fair and Nondiscriminatory Access to the Internet**

RESOLVE 106

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING	OTP-AM MAJ ONTP MIN	S-192

This bill requires Internet service providers offering service in the State to offer nondiscriminatory access to the Internet for all users. Elements of nondiscriminatory access, as provided in the bill, include offering Internet service on demand on a first-come, first-served basis, not blocking or interfering with access to content, applications or service, enabling any Internet content, application or service to be provided on a nondiscriminatory basis, not restricting or impeding access between a content service provider and a customer and making its service available separate from content the provider may offer. The bill allows an Internet service provider to protect the security of a user's computer, offer consumer protection services and handle breaches of terms of service, provided that is done in a manner that meets the nondiscriminatory access requirements.

Committee Amendment "A" (S-192)

This amendment replaces the bill with a resolve. The amendment directs the Office of the Public Advocate to take several actions to monitor state and federal activity relating to full and fair access to the Internet and to submit a report summarizing the results of its activities to the Joint Standing Committee on Utilities and Energy by February 1, 2008.

Enacted Law Summary

Resolve 2007, chapter 106 directs the Office of the Public Advocate to take several actions to monitor state and federal activity relating to full and fair access to the Internet and to submit a report summarizing the results of its activities to the Joint Standing Committee on Utilities and Energy by February 1, 2008.

LD 1754 **An Act To Incorporate the Greater Augusta Utility District**

P & S 22

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM	S-314

This bill is a concept draft pursuant to Joint Rule 208. This bill would accomplish the merger of the Augusta water and sewer districts and incorporate the Greater Augusta Utility District.

Enacted Law Summary

Private and Special Law 2007, chapter 22 creates the Greater Augusta Utility District subject to referendum. If approved by the voters of the City of Augusta and the voters of the City of Hallowell, it provides for the merger of

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the Augusta Water District, the Augusta Sanitary District and the sewer functions of the Hallowell Water District to create the Greater Augusta Utility District. If approved by the voters of the City of Augusta but not the voters of the City of Hallowell, it provides for the merger of the Augusta Water District and the Augusta Sanitary District to create the Greater Augusta Utility District.

LD 1755 An Act To Promote New Electrical Generation in Maine

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING		

This bill is a concept draft pursuant to Joint Rule 208. This bill would authorize Maine Revenue Services to impose a windfall profits tax on capacity payments made to certain power plants in Maine. The tax would apply to capacity payments to generators during the years 2007, 2008, 2009 and 2010 for capacity payments for sales of energy and capacity transmitted through a transmission and distribution utility. Payments used exclusively in the tax year for the creation of new generation assets in Maine will not be subject to the tax. New generation is generation constructed after January 1, 2007 and before December 31, 2010. This bill was indefinitely postponed prior to being referenced to a committee.

LD 1767 An Act To Encourage Community Network Development

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J	ONTP	

This bill establishes the Education and Municipal Technology Advisory Committee to provide oversight and advice to community networks and to aid in the development and maintenance of community networks by municipalities in partnership with local schools. Under the bill, a community network is defined as a computer system within a municipality that provides free or low-cost access to information and services through a centrally managed network or intranet or Internet connection or any combination of network and connections. The bill makes a one-time appropriation for the purpose of establishing a grant program from a fund to be administered by the advisory committee to aid in the development of community networks and an ongoing appropriation for expenses of the advisory committee members.

The Joint Standing Committee on Utilities and Energy, by letter dated 6/14/07, requested that the ConnectME Authority take steps to encourage the development of community networks and report back to the committee by January 15, 2008.

**LD 1836 An Act To Save Money for Maine Energy Consumers through
Enhanced Energy Efficiency**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	ONTP	

This bill directs the Public Utilities Commission to establish the Energy Efficiency Stakeholder Board to advise and assist the commission, other agencies, utilities and publicly directed energy efficiency program administrators in the design, implementation and review of a comprehensive energy savings plan to implement cost-effective energy conservation programs and market transformation initiatives. The bill sets an assessment rate on transmission and distribution utilities to fund conservation programs and specifies the method of

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apportionment of funds collected for conservation programs among groups of customers.

The bill also amends the laws governing rate-adjustment mechanisms for transmission and distribution utilities as they relate to utility sales and earnings. It specifically directs the Public Utilities Commission to adopt provisions to sever the link between sales and earnings, often referred to as "decoupling."

The Joint Standing Committee on Utilities and Energy, by letter dated 6/14/07, requested that the Public Utilities Commission, the Office of the Public Advocate and the Governor's Office of Energy Independence and Security convene a stakeholder group to discuss decoupling and rate design options to reduce incentives for utilities to encourage increased electricity consumption and report back to the committee by January 15, 2008.

LD 1837 An Act To Harmonize State and Federal Laws on Do-not-call Lists

PUBLIC 227

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP	

This bill makes changes to bring state law into conformance with federal laws regarding the establishment and enforcement of a do-not-call list that allows resident consumers to opt out of being solicited by telephone.

Enacted Law Summary

Public Law 2007, chapter 227 makes changes to bring state law into conformance with federal laws regarding the establishment and enforcement of a do-not-call list that allows resident consumers to opt out of being solicited by telephone.

LD 1866 An Act To Revise Maine's Utility Reorganization Laws

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN	OTP-AM MAJ ONTP MIN	

This bill adds several new criteria for approval by the Public Utilities Commission of the reorganization, merger, consolidation, sale or other transfer of property involving a Maine public utility with annual revenues greater than \$50 million. Specifically, the bill states that commission may only approve a reorganization, merger, consolidation, sale or other transfer of property involving such a utility if the commission finds that the proposal will: (a) advance the economic development and information access goals of the State's telecommunications policy to the extent applicable to the type of utility involved, (b) result in short-term and long-term economic benefits to ratepayers, and (c) be consistent with the interests of the utility's investors.

The bill also increases the filing fee for a reorganization involving a utility with revenues greater than \$50 million from \$50,000 to \$100,000.

Finally, the bill specifies that the provisions in the bill apply to any decision of the Public Utilities Commission after the effective date of this Act, including decisions made involving proceedings that are pending before the commission prior to the effective date.

Committee Amendment "A" (S-191)

This amendment (not adopted) changes several provisions of the bill relating to the additional criteria for approval required for a merger, consolidation, reorganization or sale involving a Maine public utility with

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annual revenues greater than \$50,000,000. Specifically, the amendment:

1. Limits the application of these additional criteria for approval to transactions that would result in a change of ownership and control of the public utility;
2. Changes the criteria for approval relating to benefits to ratepayers from a standard of "short-term and long-term economic benefits" to a standard of "net benefits"; and
3. Adds a provision authorizing the Public Utilities Commission to impose conditions on a reorganization that is subject to the additional standards to ensure that the transaction will satisfy those standards.

The Joint Standing Committee on Utilities and Energy, by letter dated 6/14/07, requested that the Public Utilities Commission, in its review of the proposed merger and reorganization of Verizon and FairPoint Communications, give due consideration to several specific issues relating to the stated benefits of the merger and economic development issues for the State.

LD 1918 An Act To Ensure Adequate Funding for the Oversight of Spent Nuclear Fuel Storage in Maine

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY		

Current law establishes an assessment on a licensee operating an interim spent nuclear fuel storage facility in this State. This assessment is scheduled to decrease from \$360,000 per year in calendar year 2007 to \$296,667 in calendar year 2008 and to \$170,000 beginning in 2009 continuing at that amount until all spent nuclear fuel is removed from the State. This bill eliminates the reductions in the assessment that exist in current law and establishes the assessment amount in years 2008 and beyond at a level of \$360,000 indexed to the rate of inflation using the Consumer Price Index. This bill also imposes an additional assessment of \$500,000 beginning in August 15, 2007 and every 5 years thereafter, also indexed to the rate of inflation, to pay for costs associated with the replacement of depreciated or obsolete capital equipment. Once the spent nuclear fuel is removed from the facility, these additional payments are no longer required.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 1920 An Act To Stimulate Demand for Renewable Energy

PUBLIC 403

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ ONTP MIN	H-516 PIEH

Current law establishes as a policy of the State the goal of increasing the share of new renewable capacity resources as a percentage of the total capacity resources in this State by 10% by 2017. This bill implements that policy goal by establishing portfolio requirements for new renewable capacity resources, beginning at 1% for calendar year 2008 and increasing by one percentage point per year, ending at 10% in 2017.

The bill allows competitive electricity providers to meet the portfolio requirements for new renewable capacity resources through the use of renewable energy credits or an alternative compliance payment to be set by the Public Utilities Commission. The bill allows the commission to suspend increases in the portfolio requirements for new renewable capacity resources if it finds that investment in new renewable capacity resources is insufficient and the

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resulting use of the renewable energy credits or alternative compliance payments has burdened electricity customers, and it requires the commission to suspend these portfolio requirements if the alternative compliance payments are used to meet the requirements for 3 or more consecutive years. The bill requires the commission to report annually to the Legislature regarding the status of new renewable capacity resources and compliance with the portfolio requirements for new renewable capacity resources.

Beginning July 1, 2008, the bill allows for information regarding the availability of green power products and renewable energy credit products offered by competitive electricity providers and certified by the Public Utilities Commission to be presented, at the option of the provider and with the cooperation of the utility, through inserts in customer bills issued by transmission and distribution utilities. The bill requires the Public Utilities Commission to report, no later than January 31, 2010, to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding green power options that have been certified and promoted since July 1, 2008. The provisions regarding green power options are repealed July 1, 2010.

House Amendment "A" (H-516)

This amendment clarifies that "green power supply" includes anaerobic digestion of agricultural products, byproducts or wastes.

Enacted Law Summary

Public Law 2007, chapter 403 establishes portfolio requirements for new renewable capacity resources, beginning at 1% for calendar year 2008 and increasing by one percentage point per year, ending at 10% in 2017. The law allows competitive electricity providers to meet the portfolio requirements for new renewable capacity resources through the use of renewable energy credits or an alternative compliance payment to be set by the Public Utilities Commission. The law allows the commission to suspend increases in the portfolio requirements for new renewable capacity resources if it finds that investment in new renewable capacity resources is insufficient and the resulting use of the renewable energy credits or alternative compliance payments has burdened electricity customers, and it requires the commission to suspend these portfolio requirements if the alternative compliance payments are used to meet the requirements for 3 or more consecutive years. The law requires the commission to report annually to the Legislature regarding the status of new renewable capacity resources and compliance with the portfolio requirements for new renewable capacity resources.

Beginning July 1, 2008, this law allows for information regarding the availability of green power products and renewable energy credit products offered by competitive electricity providers and certified by the Public Utilities Commission to be presented, at the option of the provider and with the cooperation of the utility, through inserts in customer bills issued by transmission and distribution utilities. The law requires the Public Utilities Commission to report, no later than January 31, 2010, to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding green power options that have been certified and promoted since July 1, 2008. The provisions regarding green power options are repealed July 1, 2010.

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SUBJECT INDEX

Cable Television

Enacted

LD 1063 An Act Regarding Cable Television Service Outages PUBLIC 104

Not Enacted

LD 240 An Act To Establish a Discounted Cable Rate for Senior Citizens and
Assisted Living Facilities ACCEPTED ONTP
REPORT

LD 420 An Act Providing for Regulation of the Cable Television Industry by the
Public Utilities Commission ONTP

E911

Enacted

LD 547 An Act To Create Fairness in E-9-1-1 Funding PUBLIC 68

LD 627 An Act To Ensure Uniform Emergency Medical Dispatch Services in
Maine PUBLIC 42
EMERGENCY

Not Enacted

LD 593 Resolve, To Establish a Second Public Safety Answering Point for
Kennebec County INDEF PP

LD 1012 Resolve, To Require the Emergency Services Communication Bureau To
Send E-9-1-1 Changes of Address Information to State Licensing
Agencies ONTP

Electricity

Enacted

LD 229 An Act To Facilitate the Establishment of Tribal Electric Utility Districts PUBLIC 189

LD 268 An Act Regarding the Long-term Contracting Authority of the Public
Utilities Commission PUBLIC 293

LD 413 Resolve, Regarding the Reentry of Electric Utilities into the Energy
Supply Business RESOLVE 54

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LD 813	An Act To Provide an Energy Allowance to At-home Patients Using Ventilators	PUBLIC 97
LD 969	Resolve, Regarding Legislative Review of Chapter 316, Long Term Contracting and Resource Adequacy, a Major Substantive Rule of the Public Utilities Commission	RESOLVE 35 EMERGENCY
LD 1381	Resolve, To Ensure the Success of Regional Climate Change Efforts	RESOLVE 52

Not Enacted

LD 230	An Act To Clarify the Scope of Conservation Programs with Respect to Electricity Use	ONTP
LD 393	Resolve, Establishing a Commission To Develop Methods for the State To Promote the Generation of Electrical Power in an Environmentally Sound Manner and Independent of Foreign Fuel Imports	ACCEPTED ONTP REPORT
LD 398	An Act To Require Transmission Lines To Be Placed Underground near Certain Facilities	CARRIED OVER
LD 435	An Act To Require Utilities and Competitive Service Providers To Pay Interest on Overestimates of Electric	CARRIED OVER
LD 742	An Act Concerning Wholesale Power Purchases by Consumer-owned Transmission and Distribution Utilities	ONTP
LD 743	An Act To Allow Transmission and Distribution Utilities To Generate and Sell Power	ONTP
LD 764	An Act To Clarify Standards for Issuance of a Certificate of Public Convenience and Necessity	ONTP
LD 1098	An Act To Promote Electricity Transmission Independence	CARRIED OVER
LD 1148	An Act To Protect Electric Ratepayers	ONTP
LD 1221	An Act To Amend the Charter of the Kennebunk Light and Power District	CARRIED OVER
LD 1248	An Act To Establish the Northern Maine Power Agency	CARRIED OVER
LD 1339	Resolve, To Reduce Energy Costs for Consumers	ONTP
LD 1340	An Act To Enhance the Reliability and Competitiveness of Maine's Electricity Market	ONTP
LD 1495	An Act To Reduce Additional State Fees for Consumer-owned Electric Utility Customers	ONTP

LD 1625	An Act To Protect Maine Consumers from Windfall Profits of Generators	ONTP
LD 1755	An Act To Promote New Electrical Generation in Maine	INDEF PP
LD 1836	An Act To Save Money for Maine Energy Consumers through Enhanced Energy Efficiency	ONTP

Energy

Enacted

LD 645	An Act To Promote Municipal Energy Conservation	PUBLIC 66
LD 1284	Resolve, Regarding the Organization and Administration of Energy Policy Responsibilities within State Government	RESOLVE 59
LD 1655	Resolve, To Improve the Energy Efficiency of Residential and Commercial Buildings	RESOLVE 93
LD 1666	Resolve, To Promote Energy Conservation in Schools	RESOLVE 55

Miscellaneous

Enacted

LD 1360	An Act To Permit the University of Maine System To Install Lines on Utility Facilities in Public Rights-of-way	PUBLIC 268 EMERGENCY
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Nuclear Power

Not Enacted

LD 1918	An Act To Ensure Adequate Funding for the Oversight of Spent Nuclear Fuel Storage in Maine	CARRIED OVER
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Public Utilities Commission

Enacted

LD 267	An Act To Ensure Proper Funding of the Public Utilities Commission	PUBLIC 16 EMERGENCY
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Not Enacted

LD 1143	An Act To Prevent the Public Utilities Commission from Disclosing Private Information to the Federal Government	ONTP
LD 1866	An Act To Revise Maine's Utility Reorganization Laws	DIED BETWEEN HOUSES

Renewable Resources

Enacted

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LD 134	An Act To Encourage the Use of Solar Energy	PUBLIC 29
LD 795	An Act Regarding the Solar Energy Rebate Program	PUBLIC 158
LD 1071	An Act Regarding Energy-generating Facilities	PUBLIC 160
LD 1302	Resolve, To Preserve Maine's Electric Energy Infrastructure	RESOLVE 37
LD 1347	Resolve, Regarding Alternative Fuel Incentives To Stimulate the Production, Distribution and Use of Biofuels	RESOLVE 51
LD 1920	An Act To Stimulate Demand for Renewable Energy	PUBLIC 403

Not Enacted

LD 290	An Act To Encourage the Use of Solar Energy	ONTP
LD 409	Resolve, To Study Alternative Fuel Use by Schools and Public Buildings	ONTP
LD 759	An Act To Increase the Percentage of Renewable Power in Systems of Very Large Investor-owned Transmission and Distribution Utilities	ONTP
LD 1030	An Act To Encourage Cogeneration	ONTP
LD 1068	An Act To Enhance Maine's Energy Independence and Security	ONTP
LD 1079	Resolve, Establishing the Commission To Study Biofuel Use in School Districts	ONTP
LD 1099	An Act To Encourage Wind Energy Development	CARRIED OVER
LD 1160	Resolve, To Encourage the Development of Water Power To Provide for Maine's Energy Needs	ONTP
LD 1331	An Act To Encourage Community Wind Power Projects	ONTP
LD 1346	An Act To Enhance Maine's Energy Independence and Reduce Electricity Costs	ONTP

LD 1644 **Resolve, To Establish a Stakeholder Group for the Establishment of Site Requirements for Wind Power** **ONTP**

Telecommunications

Enacted

LD 536 **An Act To Promote Efficiency in the Use of the Communications Equipment Fund** **PUBLIC 224 EMERGENCY**

LD 765 **Resolve, Regarding Legislative Review of Portions of ConnectME Authority, Chapter 101, a Major Substantive Rule of the Governor's Office** **RESOLVE 27 EMERGENCY**

LD 1383 **An Act To Enhance Availability of Emergency Telephone Services** **PUBLIC 226**

LD 1675 **Resolve, Regarding Full, Fair and Nondiscriminatory Access to the Internet** **RESOLVE 106**

LD 1837 **An Act To Harmonize State and Federal Laws on Do-not-call Lists** **PUBLIC 227**

Not Enacted

LD 33 **An Act To Simplify Wireless Telecommunications** **ONTP**

LD 242 **An Act To Establish a "Do Not Fax" List** **ONTP**

LD 369 **An Act To Require High-speed Internet Access for All Maine Residents** **ONTP**

LD 498 **An Act To Limit the Charges for a Lost Cell Phone** **ONTP**

LD 710 **An Act To Promote Rural Broadband Access** **ONTP**

LD 1216 **Resolve, To Establish a Study Commission To Stimulate Telecommunications Investment, Economic Development and Job Creation** **CARRIED OVER**

LD 1621 **An Act To Ensure the Reliability of Communications Equipment in Certain Buildings** **ONTP**

LD 1767 **An Act To Encourage Community Network Development** **ONTP**

Water/Sewer - Charters

Enacted

LD 878 **An Act To Amend the Charter of the Harrison Water District** **P & S 4 EMERGENCY**

LD 941	An Act To Amend the Charter of the Long Pond Water District	P & S 5 EMERGENCY
LD 993	An Act To Amend the Charter of the Winterport Water District	P & S 8
LD 1205	An Act To Amend the Laws Preventing the Pollution of Portland's Water Supply	P & S 15
LD 1236	An Act To Create the Princeton Water District	P & S 6 EMERGENCY
LD 1303	An Act To Establish the Columbia Falls Village Water District	P & S 12 EMERGENCY
LD 1382	An Act To Create a Utility District in Edgecomb	P & S 10
LD 1656	An Act To Amend the Fryeburg Water District Charter	P & S 11 EMERGENCY
LD 1754	An Act To Incorporate the Greater Augusta Utility District	P & S 22

Water/Sewer - General

Enacted

LD 1151	An Act To Streamline the Review of Minor Tariff Filings of Consumer-owned Water Utilities	PUBLIC 127
LD 1153	An Act To Allow Affordable Housing Discretionary Water and Sewer Fee Waivers	PUBLIC 174

Not Enacted

LD 352	An Act To Provide an Appeal Process Regarding Rate Increases of Certain Quasi-municipal Districts and Corporations	ONTP
LD 940	Resolve, To Protect the Future of the Sebago Lake Water Supply	ACCEPTED ONTP REPORT
LD 1573	An Act To Encourage and Facilitate Regional Utility Districts	ONTP

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