



March 14, 2022

Joint Standing Committee on Energy, Utilities, and Technology  
C/o Legislative Information Office  
100 State House Station  
Augusta, Maine 04333

**RE: L.D. 1350, “AN ACT TO EXPAND MAINE’S CLEAN ENERGY ECONOMY”**

Dear Senator Lawrence, Representative Berry, Senator Vitelli, and distinguished members of the Energy, Utilities, and Technology Committee:

As you may know from our previous engagement with this Committee, I am the co-founder of Dirigo Solar. Together with our partners at BNRG Renewables, we are among Maine’s leading solar developers. We are also some of Maine’s leading proponents of low-cost solar.

We commend Senator Vitelli for her efforts to advance L.D. 1350. With energy prices skyrocketing, this is exactly the type of leadership Maine needs to reduce our reliance on imported fossil fuels and deliver cost savings for ratepayers. As Dirigo Solar’s two previous PUC awards show (*see* docket 2015-00026: 75 MW at \$0.035/kWh and docket 2020-00033: 40 MW at \$0.0295/kWh), long-term solicitations deliver power for less than one-third of the 2022 standard offer for electricity supply. Maine should be awarding more of these contracts.

For over a year, we have been working on the issue of siting solar on PFAS-contaminated land. This has involved engagement with farmers who have lost their livelihoods due to PFAS contamination, Senator Vitelli, and an array of other stakeholders who share an interest in well-sited solar, including Maine Farmland Trust, the Sportsmen’s Alliance of Maine, Maine Audubon, Maine Coast Heritage Trust, and the Nature Conservancy. There is widespread agreement that PFAS-contaminated agricultural land is an ideal location for solar.

Thus, we are excited to see language in L.D. 1350 which directs the PUC to take PFAS contamination into account when evaluating a bid’s economic benefits. However, we would like to respectfully urge the Committee to take this one step further: PFAS-contaminated sites are not necessarily located in areas of the State where grid interconnection costs are least expensive (we are happy to share data from our extensive portfolio of projects which bears this out). This Committee has an opportunity to start addressing the emerging issue of PFAS-contamination by putting contaminated land to productive reuse and providing much needed relief to farmers. Importantly, taking a bolder position on directing the development of renewables to PFAS-contaminated land will send a market signal that Maine is serious about redeveloping contaminated sites. Developers will take note of this signal and seek out contaminated sites for development, in preparation for future PUC solicitations and state programs.



Along with other stakeholders in the natural resources, agriculture, and renewable energy sectors, we support restructuring the 30% weight associated with project economic benefits. Possible language is as follows:

- A weight of 30% must be given to the extent to which the project utilizes previously developed or contaminated lands or otherwise minimizes impacts to natural and working lands, including but not limited to use of agricultural lands subject to a finding of adulteration pursuant to 22 MRSA § 2155-A or 7 MRSA § 717 due to per- and polyfluoroalkyl substances by the Maine Department of Agriculture, Conservation and Forestry. The commission must determine these benefits in consultation with the Department of Environmental Protection and the Department of Agriculture, Conservation and Forestry.

Reasons why this proposal makes sense:

- This provides the clear signal necessary to make projects on PFAS-contaminated land feasible and gives these projects an advantage without impacting the assessment of ratepayer savings. It also effectively delivers the public good of redeveloping contaminated land and supporting farmers.

We are very open to discussion on the specifics of this proposal.

In addition, we offer one final suggestion: Though we appreciate the inclusion of the \$10,000 bid surety, we would propose to also include language requiring bidding projects to have commenced their System Impact Studies with ISO-NE. Commencing this study requires a significant payment to ISO-NE and would thus serve two purposes: Effectively require a second bid surety (in the form of the SIS deposit to ISO-NE), and ensure that only well-advanced projects are eligible to bid. Because these grid studies take several years to complete, we believe this is preferable to a requirement that projects receive their permits, particularly since local permits generally expire one year after issuance.

We appreciate your time and attention to this important issue. Please feel free to contact me with any questions or comments.

Sincerely,

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