



State of Maine

Office of the Public Advocate

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PUBLIC ADVOCATE

April 20, 2021

Chairman Lawrence, Chairman Berry and Members of the Energy, Utilities and Technology Committee,

My name is Barry Hobbins and I am the Public Advocate with the Office of the Public Advocate and I am here today to testify neither for nor against LD 1435 “An Act Regarding the Solicitation of Contracts for Distributed Resources That Use Renewable Energy.”

35-A MRSA Sec. 3210-C authorizes the PUC to direct transmission and distribution utilities to enter into long term contracts for the purchase of renewable energy and 35-A MRSA Sec. 3210-G directs the PUC to conduct two such solicitations for Class 1A resources, the highest classification. The only thing LD 1435 appears to add is a requirement to conduct two RFPs by 2025. If this is the goal, such a directive could more efficiently be added through an amendment to either Section 3210-C or 3210-G.

The OPA would also note that the definition of distributed is in conflict with the definition of the same term in 35-A MRSA Sec. 3481(5). This existing definition limits the size of distributed projects to 5 MW. This is consistent with the generally accepted use of the term, which relates to small localized projects. LD 1435 proposes to define "distributed resource" as “an electric generating facility that uses a renewable fuel or technology ... *regardless of the facility's*

*power production capacity.*” Thus, it defines the term to apply to all renewable energy projects, erasing the distinction intended by the term. Note that, in addition to the general authority to direct purchases of renewable energy and capacity under Sections 3210-C and 3210-G, 35-A MRSA Sections 3485 and 3486 have already created two procurement programs for distributed generation resources.

Thank you for your time, attention and consideration of this testimony. The Office of the Public Advocate looks forward to working with the Committee on LD 1435, and will be present at the work session to assist the Committee in its consideration of this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barry J. Hobbins". The signature is fluid and cursive, with the first name "Barry" and last name "Hobbins" clearly distinguishable.

Barry J. Hobbins  
Public Advocate