



# SOLAR ENERGY ASSOCIATION OF MAINE

---

**Testimony Neither For nor Against the Sponsor Amendment of L.D. 1026**

**An Act to Update the Regulation of Public Utility Monopolies**

**Steven L. Weems, Executive Director**

**Solar Energy Association of Maine**

**To the Joint Standing Committee on Energy, Utilities, and Technology**

March 16, 2022

Senator Lawrence, Representative Berry, and other members of the Joint Standing Committee on Energy, Utilities, and Technology: my name is Steve Weems, Executive Director of the Solar Energy Association of Maine. The Association reluctantly logs in as neither for nor against the Sponsor Amendment of LD 1026, a stance made necessary because we support some elements of the bill and oppose others.

The Solar Energy Association of Maine (SEAM) is a broad coalition of solar energy supporters, advocating for the development of solar electricity of *all project sizes* and *diverse ownership models*, with the benefits reaching *all Maine people*. It is a not-for-profit corporation governed by a Board drawn from many sectors.

SEAM opposes Section 9 of the bill. We think this is an unnecessary and harmful incursion to create a stop-gap solution to a problem that has not manifested itself. The attrition rate of proposed distributed generation solar projects [net energy billing (NEB) projects] is sufficiently high that scenarios of significant cost shift to other ratepayers are not credible. Additionally, projections of potential cost shift continue to be put forward without any consideration of the benefits of distributed generation, both on-bill and off the electricity bill.

The Association acknowledges there is a need to develop a successor to the existing net energy billing (NEB) program, colloquially called "NEB 2.0." The stakeholder group process established by the legislature last year is working on this, and we think this process is the right forum to look at changes to the existing NEB program. We conclude the provisions of Section 9 are unnecessary and could be harmful to Maine's reputation as a reasonable place to do business.

We note that prior to taking testimony on LD 1026, the Committee has tentatively approved identical language to Section 9 as a sponsor amendment to LD 634, which effectively renders our comments on this part of LD 1026 moot. Others also have provided testimony about the deficiencies and potential unintended consequences of Section 9, so we will not comment further on this section here.

On the other hand, the Association supports Sections 3 through 8 of the sponsor amendment as very desirable to support the continued success and expansion to new electricity customers of local, municipal power districts and cooperatives in Maine. These municipal or consumer-owned local or limited-area utilities have been highly successful and are thwarted from rationalizing their service areas by existing Maine law and PUC regulations, which effectively render these smaller organizations powerless against adjacent investor-owned utilities, who can simply refuse to sell any assets (and relinquish service territory) to the municipal utility districts and cooperatives. This is not justified or good policy, as these local, municipal or cooperative utilities are much more accountable to their customers and have a superior performance record, by just about every measure. Hence the Association supports this part of LD 1026, for the above reasons and those expressed eloquently by Dr. Gordon Weil.

Respectfully submitted,



Steven L Weems