

STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON UTILITIES AND
ENERGY**

July 2009

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Joint Standing Committee on Utilities and Energy

LD 43 An Act To Promote Consumer Fairness in Alternative Energy

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| BRYANT M BRYANT B | ONTP | |

This bill requires transmission and distribution utilities to compensate a customer that generates electricity from renewable resources for any excess electricity generated by the customer beyond the customer's actual electricity usage.

LD 44 An Act Regarding Requirements for Approval of a Transmission Line

PUBLIC 309

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| VALENTINO HOBBINS | OTP-AM | H-369 |

This bill requires that high-voltage transmission lines capable of operating at 115 kilovolts or more be placed underground when such lines are constructed, rebuilt or relocated on or after October 1, 2009 near areas that are frequently used by children, including residential areas, public playgrounds, schools, child care facilities and children's camps. 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.

Committee Amendment "A" (H-369)

This amendment replaces the bill. The amendment adds specificity and additional requirements to current law regarding a certificate of public convenience and necessity to construct a transmission line and the Public Utilities Commission's determination of public need for the proposed line. Specifically, the amendment requires that a petition for approval of a proposed transmission line provide information regarding the effects of the proposed line on public health and safety, scenic, historic, recreational and environmental values and the proximity of the proposed line to inhabited dwellings, as well as justification of the route selected and results of investigations of alternatives to construction of the proposed line including energy conservation, distributed generation or load management. The amendment also requires the Public Utilities Commission, in determining public need for a proposed transmission line, take into account economics, reliability, public health and safety, scenic, historic and recreational values and alternatives to construction of the transmission line including conservation, distributed generation or load management. The amendment clarifies that the Public Utilities Commission shall, as necessary, consider the findings of and any modifications ordered by the Department of Environmental Protection to lessen the impact of the proposed transmission line on the environment. The amendment directs the Public Utilities Commission to amend its rules governing the construction of new transmission lines in accordance with the provisions contained in the amendment.

Enacted Law Summary

Public Law 2009, chapter 309 adds specificity and additional requirements to current law regarding a certificate of public convenience and necessity to construct a transmission line and the Public Utilities Commission's determination of public need for the proposed line. Specifically, it requires that a petition for approval of a proposed transmission line provide information regarding the effects of the proposed line on public health and safety, scenic,

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historic, recreational and environmental values and the proximity of the proposed line to inhabited dwellings, as well as justification of the route selected and results of investigations of alternatives to construction of the proposed line including energy conservation, distributed generation or load management. It also requires the Public Utilities Commission, in determining public need for a proposed transmission line, take into account economics, reliability, public health and safety, scenic, historic and recreational values and alternatives to construction of the transmission line including conservation, distributed generation or load management. It clarifies that the Public Utilities Commission shall, as necessary, consider the findings of and any modifications ordered by the Department of Environmental Protection to lessen the impact of the proposed transmission line on the environment. It also directs the Public Utilities Commission to amend its rules governing the construction of new transmission lines in accordance with the provisions of this law.

LD 55 An Act To Prohibit the Commercial Sale of Water by a Water District

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MARTIN J L | ONTP | |

This bill prohibits any water district from selling water for profit outside of its territory or for commercial purposes.

LD 73 An Act To Protect the Right To Use Solar Energy

PUBLIC 273

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------|---------------------------|
| HINCK | OTP-AM MAJ OTP-AM MIN | H-370 |

This bill prohibits restriction by law, ordinance, regulation, deed, covenant or contract on the installation and use of solar collectors, clothes lines and other equipment for the solar drying of clothing.

Committee Amendment "A" (H-370)

This amendment is the majority report of the committee. The amendment replaces the bill with more specific provisions regarding protections for the installation and use of solar energy devices, including solar collectors and solar clothes-drying devices, on residential property. The amendment specifies that a legal instrument adopted or created after September 30, 2009 that defines or limits the rights or privileges of owners or renters with respect to the use of residential property may not prohibit a person from installing or using a solar energy device on residential property owned by that person or from installing or using a solar clothes-drying device on residential property leased or rented by that person. Under the amendment, "legal instrument" includes municipal ordinances, bylaws or regulations and rules, bylaws or regulations of an association of property owners as well as deed restrictions, restrictive covenants and other similar binding agreements. The amendment specifies that a legal instrument may prohibit the installation and use of solar energy devices on residential property in common ownership with 3rd parties or common elements of a condominium. The amendment permits certain reasonable restrictions on the installation and use of solar energy devices to protect public health and safety, shorelands, buildings and historic or aesthetic values.

Committee Amendment "B" (H-371)

This amendment is the minority report of the committee. This amendment specifies that an ordinance, bylaw or

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regulation adopted by a municipality or political subdivision on or after September 30, 2009 that directly regulates the installation or use of solar energy devices may not unnecessarily prohibit or restrict an owner of residential property from installing or using a solar energy device on the owner's property, subject to reasonable restrictions. Reasonable restrictions are permitted as necessary to protect public health and safety, buildings, shorelands and historic or aesthetic values, to comply with state regulations and to ensure safe access to buildings.

Enacted Law Summary

Public Law 2009, chapter 273 specifies that a legal instrument adopted or created after September 30, 2009 that defines or limits the rights or privileges of property owners or renters with respect to the use of residential property may not prohibit a person from installing or using solar energy devices, including solar collectors and solar clothes-drying devices, on residential property owned by that person or from installing using a solar clothes-drying devices on residential property leased or rented by that person. Under this law, "legal instrument" includes municipal ordinances, bylaws or regulations and rules, bylaws or regulations of an association of property owners as well as deed restrictions, restrictive covenants and other similar binding agreements. The law specifies that a legal instrument may prohibit the installation and use of solar energy devices on residential property in common ownership with third parties or common elements of a condominium. It also permits certain reasonable restrictions on the installation and use of a solar energy device that protect public health and safety, shorelands, buildings and historic or aesthetic values.

LD 120 An Act Regarding Assistance to Low-income Customers of Gas Utilities

PUBLIC 35

Sponsor(s)

HOBBINS

Committee Report

OTP-AM

Amendments Adopted

S-23

This bill clarifies that criteria other than eligibility for federal or state fuel assistance may be used as eligibility criteria to qualify low-income customers of natural gas utilities for assistance. The bill also allows the Public Utilities Commission to approve recovery of the costs of this low-income assistance for natural gas customers through base distribution rates or through the cost-of-gas adjustment rate.

Committee Amendment "A" (S-23)

This amendment replaces the bill. The amendment requires gas utilities in the State that serve 5,000 or more residential customers to offer low-income assistance programs for residential customers. It requires the gas utilities, in the adoption and implementation of low-income assistance programs, to encourage conservation in the use of gas. The bill provides for the recovery of costs through rates. It authorizes the Public Utilities Commission to adopt rules to implement these provisions and requires the commission to report on low-income assistance programs in the commission's annual report.

Enacted Law Summary

Public Law 2009, chapter 35 requires gas utilities in the State that serve 5,000 or more residential customers to offer low-income assistance programs for residential customers. It requires the gas utilities, in the adoption and implementation of low-income assistance programs, to encourage conservation in the use of gas, and it provides for the recovery of costs through rates. It authorizes the Public Utilities Commission to adopt rules to implement these provisions and requires the commission to report on low-income assistance programs in the commission's annual report.

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LD 127 An Act To Prohibit Telephone Charges Not Representing Services or Fees Requested by the Customer or Authorized by the Government

PUBLIC 36

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ADAMS BOWMAN | OTP-AM | H-32 |

This bill prohibits a telephone utility from including line-item charges on telephone bills, except those that represent actual services that are requested by a customer or that are specifically required by federal or state law.

Committee Amendment "A" (H-32)

This amendment replaces the bill. The amendment prohibits a telephone utility from charging a customer for any service, tax or fee that is not authorized by the customer or authorized or required by the State or the Federal Government. It specifies that a charge may only be listed as a separate line-item charge on the bill when the charge represents a service or fee authorized by the customer or a tax, fee or charge authorized or required by the State or the Federal Government. It also adds language to prohibit a telephone utility from including in a line-item charge anything that is charged for elsewhere on the customer's bill and requires that a clear description of line-item charges be included on telephone bills.

The amendment also authorizes the Public Utilities Commission to impose an administrative penalty for violations up to \$1,000 per violator for violations arising out of the same incident or complaint. It requires the commission to provide a simple process for a customer to report a line-item charge the customer believes may be in violation. Finally, it clarifies that this provision is not intended to limit any enforcement action or penalty pursued by the Attorney General under the Maine Unfair Trade Practices Act.

Enacted Law Summary

Public Law 2009, chapter 36 prohibits a telephone utility from charging a customer for any service, tax or fee that is not authorized by the customer or authorized or required by the State or the Federal Government. It specifies that a charge may only be listed as a separate line-item charge on the bill when the charge represents a service or fee authorized by the customer or a tax, fee or charge authorized or required by the State or the Federal Government. It also adds language to prohibit a telephone utility from including in a line-item charge anything that is charged for elsewhere on the customer's bill and requires that a clear description of line-item charges be included on telephone bills.

Public Law 2009, chapter 36 authorizes the Public Utilities Commission to impose an administrative penalty for violations up to \$1,000 per violator for violations arising out of the same incident or complaint. It requires the commission to provide a simple process for a customer to report a line-item charge the customer believes may be in violation. Finally, it clarifies that this provision is not intended to limit any enforcement action or penalty pursued by the Attorney General under the Maine Unfair Trade Practices Act.

LD 131 An Act To Amend the Charter of the Athens Standard Water District

P & S 1

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MILLS P | OTP | |

Joint Standing Committee on Utilities and Energy

Under the current charter of the Athens Standard Water District, a trustee of the district must be a taxpayer of the Town of Athens and a ratepayer of the district. Under this bill, a trustee of the district must be a taxpayer of the Town of Athens or a ratepayer of the district.

Enacted Law Summary

Private and Special Law 2009, chapter 1 changes the eligibility requirements for trustees of the Athens Standard Water District. Under this law, a trustee must be a taxpayer of the Town of Athens or a ratepayer of the district.

LD 146 An Act To Require Telephone Directories To Include Cellular Telephone Numbers for Businesses ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| RICHARDSON W | ONTP | |

This bill requires telephone directories published by telephone utilities to include, at the request of a business customer, the cellular telephone number for the business.

LD 147 An Act To Facilitate the Protection of Electric Utility Consumer Interests in Public Utility Commission Cases Involving the Construction, Rebuilding or Relocating of Transmission Lines PUBLIC 26

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HINCK HOBBINS | OTP-AM | H-23 |

This bill provides the Office of the Public Advocate with authority, similar to existing authority of the Public Utilities Commission, to receive a filing fee from the applicant for a certificate of public convenience and necessity. While the filing fee for the Public Utilities Commission is equal to either 2/100 of 1 percent or 4/100 of 1 percent of the estimated cost to erect, rebuild or relocate the transmission line, the bill provides a filing fee for the Public Advocate equal to 1/100 of 1 percent or 2/100 of 1 percent of the estimated cost. The bill allows the Office of the Public Advocate to assess a filing fee on an applicant for a certificate of public convenience and necessity who is not otherwise subject to an assessment to support the work of the Office of the Public Advocate.

Committee Amendment "A" (H-23)

This amendment makes the following changes to the bill.

1. It conditions the payment of a filing fee to the Office of the Public Advocate upon the payment of a filing fee to the Public Utilities Commission.
2. It sets the amount of the filing fee to the Office of the Public Advocate at 1/100 of 1 percent of the estimated project cost in all cases.
3. It clarifies the purposes for the expenditures of the filing fee by the Office of the Public Advocate to include public outreach.
4. It requires the Office of the Public Advocate to report to the joint standing committee of the Legislature having

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jurisdiction over utilities and energy matters by January 15, 2012 regarding its experience with the collection and expenditure of filing fees.

5. It adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2009, chapter 26 provides the Office of the Public Advocate with authority similar to that of the Public Utilities Commission to receive a filing fee from an applicant for a certificate of public convenience and necessity. This law sets the amount of the filing fee to the Office of the Public Advocate at 1/100 of 1 percent of the estimated project cost and conditions the payment of a filing fee to the Office of the Public Advocate upon the payment of a filing fee to the Public Utilities Commission. It specifies the purposes for the expenditures of the filing fee by the Office of the Public Advocate to include representing the interests of consumers in the proceeding before the commission and conducting public outreach to inform consumers about the proceeding. This law requires the Office of the Public Advocate to report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by January 15, 2012 regarding its experience with the collection and expenditure of filing fees.

LD 200 An Act To Amend the Charter of the Caribou Utilities District

P & S 8

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| EDGECOMB | OTP-AM | H-34 |

This bill amends several provisions in the charter of the Caribou Utilities District, including the provisions regarding eminent domain, trustee compensation, trustee retirement eligibility, the acquisition of the Caribou Water Works Corporation, the authority to borrow and issue bonds, the determination of rates, liens for payment of rates and sewer connections and extensions.

Committee Amendment "A" (H-34)

This amendment makes a series of technical changes to the bill to provide cross-references to relevant provisions in the Maine Revised Statutes, Title 35-A, with respect to water functions of the district, and to relevant provisions in Title 38, with respect to sewer functions of the district.

Enacted Law Summary

Private and Special Law 2009, chapter 8 amends several provisions in the charter of the Caribou Utilities District, including the provisions regarding eminent domain, trustee compensation, trustee retirement eligibility, the acquisition of the Caribou Water Works Corporation, the authority to borrow and issue bonds, the determination of rates, liens for payment of rates and sewer connections and extensions.

LD 220 An Act To Increase the Availability of Solar and Wind Power

**PUBLIC 88
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BARTLETT | OTP-AM | S-90 |

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This bill raises the upper limit of the assessments on transmission and distribution utilities to fund the solar and wind energy rebate program from 0.005 cent per kilowatt-hour to 0.01 cent per kilowatt-hour. The bill also repeals the provision in current law that repeals the solar and wind energy rebate on December 31, 2010.

Committee Amendment "A" (S-90)

This amendment replaces the bill. The amendment delays the repeal of the solar and wind energy rebate program from December 1, 2010 to December 1, 2015. The amendment directs the Public Utilities Commission to use federal stimulus funds made available to the commission under the American Recovery and Reinvestment Act of 2009 to increase funding for the solar and wind energy rebate program by \$500,000 per year for a 2-year period and to report the results of the funding expansion and recommendations regarding future funding of the program in the commission's December 1, 2010 annual report of the solar and wind energy rebate program. The amendment also directs the commission to amend the rules governing the solar and wind energy rebate program to include performance standards as an educational tool for program applicants and to require applicants to complete a simple payback period calculation as part of the rebate application form.

Enacted Law Summary

Public Law 2009, chapter 88 delays the sunset on the solar and wind energy rebate program from December 1, 2010 to December 1, 2015, and directs the Public Utilities Commission to use federal stimulus funds made available under the American Recovery and Reinvestment Act of 2009 to increase funding for the solar and wind energy rebate program by \$500,000 per year for a 2-year period. It requires the commission to report the results of the funding expansion and recommendations regarding future funding of the program in the December 1, 2010 annual report of the solar and wind energy rebate program. This law also directs the commission to amend the rules governing the solar and wind energy rebate program to include performance standards as an educational tool for program applicants and to require applicants to complete a simple payback period calculation as part of the application form.

Public Law 2009, chapter 88 was enacted as an emergency measure effective May 8, 2009.

LD 238 An Act Regarding Consumer-owned Water Utilities and Contracts for Large-scale Extraction and Transportation of Water

PUBLIC 37

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEGG SULLIVAN | OTP-AM | H-35 |

This bill requires a consumer-owned water utility to hold a public hearing and to secure approval of a majority of voters in a referendum vote before entering into a contract with any entity that involves:

1. The sale of water for purposes other than on-site use or consumption by the purchasing entity;
2. The sale or lease of any water rights held by the utility, including the right to extract water from sources from which the utility is authorized to obtain water; or
3. The sale of any water or sale or lease of any water rights on terms different than those available to any other similarly situated entity.

Committee Amendment "A" (H-35)

This amendment replaces the bill. The amendment prohibits a consumer-owned water utility from entering into a contract that involves large-scale extraction and transportation of water until the utility has:

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1. Held a public meeting that includes opportunity for public comment at least 30 days before entering into such contract;
2. Provided public notice of the meeting and the proposed contract to each of the utility's customers, the Public Utilities Commission, the Office of the Public Advocate and affected municipalities, and in a newspaper of general circulation in the area served by the utility, at least 30 days prior to the meeting; and
3. Made a copy of the proposed contract available for public inspection prior to the meeting.

The amendment specifies that the requirements do not apply to any contract between a consumer-owned water utility and another entity that involves large-scale extraction and transportation of water when the entity contracting with the utility is an existing customer of the utility or is a water utility, or when the transportation of water to be provided under the contract qualifies as one of several exceptions in the laws governing restrictions on bulk transport of water.

Enacted Law Summary

Public Law 2009, chapter 37, prohibits a consumer-owned water utility from entering into a contract that involves large-scale extraction and transportation of water until the utility has:

1. Held a public meeting that includes opportunity for public comment at least 30 days before entering into such contract;
2. Provided public notice of the meeting and the proposed contract to each of the utility's customers, the Public Utilities Commission, the Office of the Public Advocate and affected municipalities, and in a newspaper of general circulation in the area served by the utility, at least 30 days prior to the meeting; and
3. Made a copy of the proposed contract available for public inspection prior to the meeting.

The law specifies that these requirements do not apply to any contract between a consumer-owned water utility and another entity that involves large-scale extraction and transportation of water when the entity contracting with the utility is an existing customer of the utility or is a water utility, or when the transportation of water to be provided under the contract qualifies as one of several exceptions in the laws governing restrictions on bulk transport of water.

Public Law 2009, chapter 37 was enacted as an emergency measure effective April 17, 2009.

LD 264 An Act To Amend the Surcharge for the E-9-1-1 System

**PUBLIC 416
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CLEARY | OTP-AM | H-437 |

This bill increases the statewide E-9-1-1 surcharge from 30¢ to 50¢ per month.

Committee Amendment "A" (H-437)

This amendment increases the E-9-1-1 surcharge from 30¢ to 37¢ effective July 1, 2009, and 52¢ effective July 1, 2010. The amendment also authorizes the Joint Standing Committee on Utilities and Energy to submit legislation regarding the E-9-1-1 surcharge to the Second Regular Session of the 124th Legislature. If the committee elects to submit legislation under this authority, the committee is required to consider certain information regarding the

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E-9-1-1 surcharge and the E-9-1-1 fund, including surcharge revenue history and projections, expenditure history and projections, unexpended amounts in the E-9-1-1 fund, opportunities to reduce expenditures related to the configuration of public safety answering points and designated uses of the E-9-1-1 fund. The amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 416 increases the E-9-1-1 surcharge from 30¢ to 37¢ effective July 1, 2009, and 52¢ effective July 1, 2010. It authorizes the Joint Standing Committee on Utilities and Energy to submit legislation regarding the E-9-1-1 surcharge to the Second Regular Session of the 124th Legislature. If the committee elects to submit legislation under this authority, the committee is required to consider certain information regarding the E-9-1-1 surcharge and the E-9-1-1 fund, including surcharge revenue history and projections, expenditure history and projections, unexpended amounts in the E-9-1-1 fund, opportunities to reduce expenditures related to the configuration of public safety answering points and designated uses of the E-9-1-1 fund.

Public Law 2009, chapter 416 was enacted as an emergency measure effective June 17, 2009.

LD 275 An Act To Amend the Charter of the Limestone Water and Sewer District

**P & S 5
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MARTIN J L | OTP-AM | H-33 |

This bill establishes a board of directors for the Greater Limestone Wastewater Treatment Facility with responsibility for the regulation, management, operation and maintenance of the Greater Limestone Wastewater Treatment Facility and for rate changes and changes in the terms and conditions of service to the Loring Development Authority of Maine. The provisions of the bill establishing the board do not take effect unless the Limestone Water and Sewer District acquires title to the Greater Limestone Wastewater Treatment Facility by July 1, 2010. This bill also increases the district's debt limit from \$1,500,000 to \$5,000,000.

Committee Amendment "A" (H-33)

This amendment makes the following changes to the bill.

1. It clarifies the language in the bill regarding the responsibilities of the board and the board membership for the Greater Limestone Wastewater Treatment Facility Board.
2. It also increases the district's debt limit to \$8,000,000 rather than to \$5,000,000 as proposed in the bill.
3. It adds an emergency preamble and an emergency clause so that the Limestone Water and Sewer District can take advantage of federal funding for wastewater projects that is available under the American Recovery and Reinvestment Act of 2009, and it clarifies the effective date of the provisions regarding the Greater Limestone Wastewater Treatment Facility Board.

Enacted Law Summary

Private and Special Law 2009, chapter 5 establishes the Greater Limestone Wastewater Treatment Facility Board. The wastewater treatment facility board consists of the 3 members of the board of trustees of the Limestone Water and Sewer District and 2 appointed members. The wastewater treatment facility board is responsible for the regulation, management, operation and maintenance of the Greater Limestone Wastewater Treatment Facility and for rate changes and changes in the terms and conditions of service to the Loring Development Authority of Maine. The provisions of the law establishing the wastewater treatment facility board do not take effect unless the

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Limestone Water and Sewer District acquires title to the Greater Limestone Wastewater Treatment Facility by July 1, 2010. This law also increases the district's debt limit from \$1,500,000 to \$8,000,000.

Private and Special Law 2009, chapter 5 was enacted as an emergency measure effective April 16, 2009.

**LD 276 An Act To Protect the Integrity of the State's Carbon Dioxide Budget
Trading Program and Auction Process and To Provide Allocations to
the Energy and Carbon Savings Trust Fund**

**PUBLIC 200
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BARTLETT | OTP-AM | S-138 HOBBS S-42 |

This bill provides a "public records exception" to exclude certain information submitted to the Department of Environmental Protection or its agent by parties in order to participate in carbon dioxide emission allowance auctions held under the Regional Greenhouse Gas Initiative. The identified purpose of the exception is to protect the integrity of the auctions.

The bill also repeals the requirement that rules adopted by the Department of Environmental Protection under Title 38 chapter 3-B establish a system under which proceeds from the sale of CO2 allowances may be returned to electric customers as direct credits on bills at times of heightened price pressure in regional carbon emission allowance markets.

Finally, the bill establishes allocations for the Energy and Carbon Savings Trust Fund for the disbursement of auction revenues.

Committee Amendment "A" (S-42)

This amendment makes the following changes to the bill:

1. It moves the language in Public Law 2007, chapter 317, regarding rulemaking to provide credits to electric ratepayers at times of heightened price pressure in the regional carbon dioxide allowance markets, which is repealed by the bill, into the statutes governing the Energy and Carbon Savings Trust and shifts responsibility for rulemaking from the Department of Environmental Protection to the Public Utilities Commission.
2. It adds a provision to the bill that changes the Energy and Carbon Savings Trust's expenditure limit for administrative costs from 2 percent of trust fund receipts to no more than \$800,000 per year.
3. It adds a provision to the bill to insert a necessary cross-reference to the voluntary renewable market set aside in the Regional Greenhouse Gas Initiative Act of 2007.
4. It adds a provision to the bill to require the Department of Environmental Protection and the Energy and Carbon Savings Trust to report on the revenues and expenditures of the Energy and Carbon Savings Trust Fund as part of the annual report to the Legislature.
5. It amends the public records exception contained in the bill by clarifying the specific records that are confidential, the time period of confidentiality and exceptions to the confidentiality requirements. It clarifies and provides certain definitions and moves the public records exception language to the section of law governing the Regional Greenhouse Gas Initiative Act of 2007.

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This amendment was reviewed and evaluated by the Joint Standing Committee on Judiciary pursuant to Maine Revised Statutes, Title 1, section 434, which requires review and evaluation of new exceptions to laws governing public records.

Senate Amendment "A" To Committee Amendment "A" (S-138)

This amendment corrects the appropriations and allocations section by providing the allocation to the Public Utilities Commission rather than to the Department of Environmental Protection and by correcting a spelling error.

Enacted Law Summary

Public Law 2009, chapter 200 provides a public records exception for certain information submitted to the Department of Environmental Protection or its agent by parties in order to participate in auctions held under the Regional Greenhouse Gas Initiative. The identified purpose of the exception is to protect the integrity of the auctions.

The law also amends certain language in Public Law 2007, chapter 317, regarding rulemaking to provide credits to electric ratepayers at times of heightened price pressure in the regional carbon dioxide allowance markets and enacts appropriate language to shift the responsibility for this rulemaking from the Department of Environmental Protection to the Public Utilities Commission.

The law changes the Energy and Carbon Savings Trust's expenditure limit for administrative costs from 2 percent of trust fund receipts to no more than \$800,000 per year and establishes allocations for the Energy and Carbon Savings Trust Fund for the disbursement of auction revenues. It also requires the Department of Environmental Protection and the Energy and Carbon Savings Trust to report on the revenues and expenditures of the Energy and Carbon Savings Trust Fund as part of the annual report to the Legislature.

Public Law 2009, chapter 200 was enacted as an emergency measure effective May 26, 2009.

LD 314 **Resolve, Directing the Public Utilities Commission To Study the Feasibility of the Merger of Certain Utilities**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MARTIN J L JACKSON | ONTP | |

This bill directs the Public Utilities Commission to study the feasibility of the merger of the Maine Public Service Company with New Brunswick Power and submit a report of the results of the study to the Joint Standing Committee on Utilities and Energy by December 2, 2009.

LD 334 **An Act To Clarify the So-called Dig Safe Law**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SYKES | ONTP | |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to clarify the so-called dig safe law to assist property owners and others in recognizing appropriate dig safe situations.

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LD 335 Resolve, Regarding Legislative Review of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a Major Substantive Rule of the Energy and Carbon Savings Trust

**RESOLVE 19
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP-AM | H-57 |

This resolve provides for legislative review of portions of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a major substantive rule of the Energy and Carbon Savings Trust.

Committee Amendment "A" (H-57)

This amendment authorizes the final adoption of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a provisionally adopted major substantive rule of the Energy and Carbon Savings Trust, as long as the rule is amended to clarify that the trust may calculate reductions in greenhouse gas emissions and reductions in consumption of electricity on a basis other than simply reductions from current levels when the trust determines it is appropriate to calculate reductions from the level of greenhouse gas emissions or consumption of electricity that would exist if alternative, less energy efficient technologies were used for the program or project instead of the technologies proposed by the applicant.

Enacted Law Summary

Resolve 2009, chapter 19 authorizes the final adoption of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a provisionally adopted major substantive rule of the Energy and Carbon Savings Trust. The resolve requires that the rule be amended to clarify that the trust may calculate reductions in greenhouse gas emissions and reductions in consumption of electricity on a basis other than simply reductions from current levels when the trust determines it is appropriate to calculate reductions from the level of greenhouse gas emissions or consumption of electricity that would exist if alternative, less energy efficient technologies were used for the program or project instead of the technologies proposed by the applicant.

Resolve 2009, chapter 19 was finally passed as an emergency measure effective April 30, 2009.

LD 336 Resolve, Regarding Legislative Review of Chapter 313: Net Energy Billing Rule To Allow Shared Ownership, a Major Substantive Rule of the Public Utilities Commission

**RESOLVE 20
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP-AM | H-63 |

This resolve provides for legislative review of portions of Chapter 313: Net Energy Billing Rule to Allow Shared Ownership, a major substantive rule of the Public Utilities Commission.

Committee Amendment "A" (H-63)

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This amendment authorizes the final adoption of Chapter 313: Net Energy Billing Rule to Allow Shared Ownership, a provisionally adopted major substantive rule of the Public Utilities Commission, as long as the rule is amended to include micro-combined heat and power systems within the definition of "eligible facility" and to change the installed capacity limit for eligible facilities from 500 kilowatts to 660 kilowatts.

Enacted Law Summary

Resolve 2009, chapter 20 authorizes the final adoption of Chapter 313: Net Energy Billing Rule to Allow Shared Ownership, a provisionally adopted major substantive rule of the Public Utilities Commission. The resolve requires that the rule be amended to include micro-combined heat and power systems within the definition of "eligible facility" and to change the installed capacity limit for eligible facilities from 500 kilowatts, in the proposed rule, to 660 kilowatts.

Resolve 2009, chapter 20 was finally passed as an emergency measure effective April 30, 2009.

LD 389 An Act To Facilitate the State's Existing Commitment to the Production of Liquid Biofuels

PUBLIC 124

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| BUTTERFIELD BRYANT B | OTP-AM | H-116 |

This bill eliminates the Agriculturally Derived Fuel Fund and amends the Clean Fuel Vehicle Fund to include biofuel projects. The bill also prohibits franchise agreements that infringe on a retail dealer's ability to deal with suppliers of alternative motor fuel other than the franchisor. The bill also directs the Governor's Office of Energy Independence and Security within the Executive Department, in consultation with the Executive Department, State Planning Office, the Department of Environmental Protection and the Department of Conservation, to study and make recommendations to the Legislature regarding policies to encourage the sustainability of biofuels.

Committee Amendment "A" (H-116)

This amendment makes the following changes to the bill.

1. It removes the requirement that the Governor's Office of Energy Independence and Security within the Executive Department provide direct oversight of the Clean Fuel Vehicle Fund and instead requires that, in administering the fund, the Finance Authority of Maine consult and accept input from the Governor's Office of Energy Independence and Security.
2. It amends the bill to focus on "sustainable biofuel," replaces the term "biofuel" with "sustainable biofuel" and changes the related definition.
3. It adds a provision to allow the Secretary of State to develop and administer a cost-effective method for a person to contribute to the fund through an online process.
4. It eliminates the provisions of the bill relating to prohibitions on franchise agreements between suppliers and retail fuel dealers; requirements for a voluntary contribution to the Clean Fuel Vehicle Fund as part of the regular motor vehicle registration process and as a checkoff on an income tax return; and the requirement for a study of biofuels sustainability by the Governor's Office of Energy Independence and Security.

Enacted Law Summary

Public Law 2009, chapter 124 eliminates the Agriculturally Derived Fuel Fund and amends the Clean Fuel Vehicle Fund to include sustainable biofuel projects. This law requires the Finance Authority of Maine to consult and accept

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input from the Governor's Office of Energy Independence and Security in administering the Clean Fuel Vehicle Fund. The law also authorizes the Secretary of State to develop and administer a cost-effective method for a person to contribute to the Clean Fuel Vehicle fund through an online process.

LD 396 An Act Regarding Installation of Solar Energy Systems under the Solar and Wind Energy Rebate Program ONTP

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

To qualify for a rebate under current law governing the solar and wind energy rebate program, a solar photovoltaic system must be installed by a master electrician who has been certified by a North American board of certified energy practitioners or by a master electrician working in conjunction with a person who has been certified by a North American board of certified energy practitioners, and a solar thermal system designed to heat water must be installed by a qualified solar thermal water system installer. This bill amends the law to allow for a rebate when the owner or tenant of a residential or commercial property performs the installation of a solar photovoltaic system or a solar thermal system designed to heat water, as long as the installation has been inspected and approved by a municipal electrical inspector, in the case of solar photovoltaic systems, or a municipal plumbing inspector in the case of solar thermal systems designed to heat water.

LD 407 Resolve, To Identify Funding Available To Promote the Use of Energy-efficient Furnaces RESOLVE 18 EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PLOWMAN | OTP-AM | S-39 |

This resolve directs the Public Utilities Commission to amend its rules governing conservation programs to provide funding to promote the use of more efficient furnaces by low-income residents.

Committee Amendment "A" (S-39)

This amendment replaces the resolve. The amendment directs the Public Utilities Commission to identify funding sources available to the State and strategies to use such funding to promote the use of energy-efficient furnaces, particularly among low-income residents.

Enacted Law Summary

Resolve 2009, chapter 18 directs the Public Utilities Commission to identify funding sources available to the State and strategies to use such funding to promote the use of energy-efficient furnaces, particularly among low-income residents.

Resolve 2009, chapter 18 was finally passed as an emergency measure effective April 30, 2009.

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LD 418 An Act To Facilitate the Development of Ocean Wind Power

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| CLARK H SULLIVAN | ONTP | |

This bill includes an appropriation of \$200,000 to the Executive Department, State Planning Office in fiscal years 2009-10 and 2010-11 to provide funds to the Gulf of Maine Research Institute to organize meetings of marine stakeholders along the coast of the State regarding the development of ocean wind energy.

LD 543 An Act Concerning the Allocation of Power Generated by GNE, LLC

Carried Over

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| CLARK H JACKSON | | |

This bill requires electricity generated by GNE, LLC hydropower facilities to be first allocated to the paper production facilities located in Millinocket and East Millinocket.

LD 543 was carried over to any special or regular session of the 124th Legislature pursuant to Joint Order, H.P. 1053.

LD 555 An Act To Promote Public Safety Answering Point Efficiency

PUBLIC 219

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| FLETCHER MCCORMICK | OTP-AM | H-254 |

This bill requires the E-9-1-1 Council to assist the Public Utilities Commission, Emergency Services Communication Bureau in resolving service-related complaints regarding the E-9-1-1 system. It requires the bureau to include in its annual report to the Joint Standing Committee on Utilities and Energy information regarding the performance of each of the public safety answering points during the reporting period. The bill directs the bureau to prepare and submit a report to the Joint Standing Committee on Utilities and Energy regarding the optimum configuration of public safety answering points in the State and the benefits and consequences of expanding the statewide E-9-1-1 surcharge to fund all E-9-1-1 system costs. The bill authorizes the committee to submit legislation relating to the report to the Second Regular Session of the 124th Legislature.

Committee Amendment "A" (H-254)

This amendment makes the following changes to the bill.

1. It adds a provision to require the Public Utilities Commission, Emergency Services Communication Bureau, prior to implementing a reduction in the number of public safety answering points, to make a finding regarding the need

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for the reduction based on an evaluation of the costs and benefits of the reduction, taking into account impacts on ratepayers, each of the affected municipalities and the State.

2. It amends the provision of the bill that requires the bureau to prepare and submit a report regarding public safety answering points and the E-9-1-1 system. It clarifies the issues to be taken into account when reporting on the optimum configuration of public safety answering points. It adds to the report an assessment of how to implement and regulate the optimum configuration, including the regulation of changes to public safety answering point locations initiated by municipalities, taking into consideration the cost implications for municipalities and the State.
3. It adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2009, chapter 219 amends the laws governing the E-9-1-1 system as follows.

1. It requires the Public Utilities Commission, Emergency Services Communication Bureau, prior to implementing a reduction in the number of public safety answering points, to make a finding regarding the need for the reduction based on an evaluation of the costs and benefits of the reduction, taking into account impacts on ratepayers, each of the affected municipalities and the State.
2. It requires the E-9-1-1 Council to assist the Public Utilities Commission, Emergency Services Communication Bureau (ESCB) in resolving service-related complaints regarding the E-9-1-1 system.
3. It requires the ESCB to include in its annual report to the Joint Standing Committee on Utilities and Energy information regarding the performance of each of the public safety answering points during the reporting period.
4. It directs the ESCB to prepare and submit a report to the Joint Standing Committee on Utilities and Energy regarding the optimum configuration of public safety answering points in the State and the benefits and consequences of expanding the statewide E-9-1-1 surcharge to fund all E-9-1-1 system costs. The report must also include an assessment of how to implement and regulate the optimum configuration, including the regulation of changes to public safety answering point locations initiated by municipalities. The bill authorizes the committee to submit legislation relating to the report to the Second Regular Session of the 124th Legislature.

**LD 596 An Act To Allow Electricity Customers Who Operate Generating
Facilities To Be Paid in Cash for Excess Net Energy Produced**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MARTIN J R PERRY J | ONTP | |

This bill requires transmission and distribution utilities to compensate a customer that generates electricity from renewable resources for any excess electricity generated by the customer beyond the customer's actual electricity usage. It requires the compensation to be in the form of either a cash payment or kilowatt-hour credits that do not expire for 24 months. The bill directs the Public Utilities Commission to adopt routine technical rules to implement these requirements.

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LD 597 An Act To Amend the Laws Governing Public Safety Answering Points

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| COTTA MCCORMICK | ONTP | |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish requirements that must be met prior to any consolidation or reconfiguration of public safety answering points. Under the bill, prior to the consolidation or reconfiguration of any public safety answering points:

1. A study must be conducted and submitted to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters. The report must include an analysis of the costs and benefits of the proposed configuration of public safety answering points, including but not limited to an analysis of:
 - A. The anticipated total system costs, including but not limited to maintenance, training and operating expenses;
 - B. The impact on direct dispatch of emergency services, transfer routing and relay routing; and
 - C. The specific benefits and costs to individual affected municipalities and communities; and
2. Each municipality or community that is affected by the proposed consolidation or reconfiguration of public safety answering points must be afforded the opportunity to vote to accept or reject the proposed consolidation or reconfiguration.

LD 608 An Act To Protect Electricity Consumers in Northern Maine

PUBLIC 285

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHERMAN | OTP-AM | S-50 |

This bill prohibits the Public Utilities Commission from issuing a certificate of public convenience and necessity for a transmission line that has the effect of eliminating the independent system administrator for northern Maine or eliminating or modifying the scope of responsibilities of the independent system administrator for northern Maine unless the certificate is subject to a requirement for full compensation for an adverse effect on customer costs. The bill requires that the compensation be paid to affected customers through a rebate or reduction in rates charged by transmission and distribution utilities serving the area that is administered by the independent system administrator for northern Maine for a period of not less than 10 years.

Committee Amendment "A" (S-50)

This amendment makes several changes to the bill to specify that the compensation to be provided to affected ratepayers: (1) is specifically for net adverse effects on ratepayers, rather than adverse effects; (2) may be provided through an appropriate compensation mechanism other than a rebate or rate reduction; and (3) must be for the benefit of affected ratepayers in the area covered by the Northern Maine Independent System Administrator. Additionally, the amendment limits the period over which the compensation is calculated and provided to affected ratepayers to a period of not more than 10 years.

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Enacted Law Summary

Public Law 2009, chapter 285 prohibits the Public Utilities Commission from issuing a certificate of public convenience and necessity for a transmission line that has the effect of eliminating the independent system administrator for northern Maine or materially modifying the scope of responsibilities of the independent system administrator for northern Maine unless the certificate is subject to a requirement for full compensation for the net adverse effects on ratepayers as determined by the commission. The law requires that the compensation be paid to affected customers through a rebate, reduction in rates or other appropriate compensation mechanism benefiting affected ratepayers in the area of the State in which the retail electricity market is administered by the independent system administrator for northern Maine. It also requires that the compensation be calculated for and provided to affected ratepayers over a period of not more than 10 years.

LD 650 **An Act To Create a Funding Structure for Sustainable Investment in Public Water and Wastewater Infrastructure in the State**

PUBLIC 377

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BERRY BARTLETT | OTP-AM | H-455 |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a sustainable funding mechanism for water and wastewater infrastructure in the State.

Committee Amendment "A" (H-455)

This amendment replaces the bill. The amendment establishes a funding structure for capital investment in public water and wastewater infrastructure in the State, but does not provide actual funds at this time. The funding structure established by the amendment consists of: (1) the State Water and Wastewater Infrastructure Fund within the Maine Municipal Bond Bank; (2) the Maine Drinking Water Fund within the Department of Health and Human Services, which is designed for capital investment and improvement of public water systems, drinking water supplies and water treatment facilities; and (3) the Maine Clean Water Fund within the Department of Environmental Protection, which is designed for capital investment and improvement of public wastewater systems and treatment facilities and water pollution abatement systems.

The amendment directs the Department of Health and Human Services and the Department of Environmental Protection to convene a stakeholder group to review and make recommendations regarding funding needs and sources for the State Water and Wastewater Infrastructure Fund, taking into account the intent to use that fund as a state match for federal funds and to transfer funds from that fund to the Maine Drinking Water Fund and the Maine Clean Water Fund. The amendment requires the departments to report the results of the stakeholder group to the Joint Standing Committee on Utilities and Energy and authorizes the committee to submit legislation related to the report to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Public Law 2009, chapter 377 establishes a funding structure for capital investment in public water and wastewater infrastructure in the State, but does not provide actual funds at this time. The funding structure established by the law consists of: (1) the State Water and Wastewater Infrastructure Fund within the Maine Municipal Bond Bank; (2) the Maine Drinking Water Fund within the Department of Health and Human Services, which is designed for capital investment and improvement of public water systems, drinking water supplies and water treatment facilities; and (3) the Maine Clean Water Fund within the Department of Environmental Protection, which is designed for capital investment and improvement of public wastewater systems and treatment facilities and water pollution abatement systems.

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This law also directs the Department of Health and Human Services and the Department of Environmental Protection to convene a stakeholder group to review and make recommendations regarding funding needs and sources for the State Water and Wastewater Infrastructure Fund, taking into account the intent to use that fund as a state match for federal funds and to transfer funds from that fund to the Maine Drinking Water Fund and the Maine Clean Water Fund. It requires the departments to report the results of the stakeholder group to the Joint Standing Committee on Utilities and Energy and authorizes the committee to submit legislation related to the report to the Second Regular Session of the 124th Legislature.

LD 651 An Act To Amend the Wind Energy Rebate Program Eligibility Requirements

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BROWNE SHERMAN | ONTP | |

This bill makes changes to the eligibility requirements and rebate levels for wind energy system rebates under the solar and wind energy rebate program. The bill establishes the rebate amount for wind energy systems in statute as an increasing function of the kilowatt capacity of the wind energy system and the classification of the wind resource at the site of the installation. The bill also amends the law to require that the wind energy system be installed by a factory trained or approved installer under the supervision of a master electrician.

The bill places certain limitations on the eligibility requirements that the Public Utilities Commission may establish for wind energy rebates under the program. Specifically, the bill: prohibits the commission from requiring a residential applicant to demonstrate a minimum wind speed of 9.8 miles per hour or more at the site; prohibits the commission from requiring a minimum tower height for the wind energy system installation; establishes 20 feet as the minimum allowed distance between the wind energy system's blade and any structure or trees within a 200-foot radius; and requires the applicant for the rebate to enter into a net energy billing agreement with the transmission and distribution utility.

LD 717 An Act To Ensure Proper Oversight of Propane Facilities

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FITTS | ONTP | |

This bill removes the oversight of certain propane facilities from the Public Utilities Commission and places the oversight of such facilities under the jurisdiction of the Propane and Natural Gas Board.

LD 764 An Act To Allow Municipalities To Offer Access to the Internet through Digital Subscriber Lines

ONTP

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

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This bill allows a municipality to provide digital subscriber line, or DSL, service through itself or through a third party to an area of the municipality that does not receive Internet service if the telecommunications utility servicing the municipality refuses to provide the service to the area.

LD 766 An Act To Promote Telecommunications Availability for the Deaf and Hard of Hearing

PUBLIC 68

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| WAGNER J BOWMAN | OTP-AM | H-65 |

This bill clarifies that the 70% rate reduction in intrastate toll calls established by the Public Utilities Commission for deaf, hard-of-hearing and speech-impaired persons applies when there are toll charges assessed for the calls. The bill also replaces certain references in the law to teletypewriters with references to telecommunications devices for the deaf and updates several definitions to reflect the new ways in which the deaf and hard-of-hearing community uses telecommunications services. The bill also clarifies that an entity can qualify as a telecommunications relay service provider even if there are parts of the State where it is not technologically feasible to provide the service. The bill clarifies that the Division of Deafness is within the Department of Labor not the Department of Education, and it clarifies the membership of the Telecommunications Relay Services Advisory Council.

Committee Amendment "A" (H-65)

This amendment makes several technical changes to the bill for clarification and consistency. It replaces the term "hearing impaired person" with "hard-of-hearing person" for consistency with language in the bill, and it provides a more detailed definition of "hard-of-hearing person" than is included in the bill.

Enacted Law Summary

Public Law 2009, chapter 68 clarifies that the 70% rate reduction in intrastate toll calls established by the Public Utilities Commission for deaf, hard-of-hearing and speech-impaired persons applies when there are toll charges assessed for the calls. The law also replaces certain references to teletypewriters with references to telecommunications devices for the deaf and updates several definitions to reflect the new ways in which the deaf and hard-of-hearing community uses telecommunications services. This law also clarifies that an entity can qualify as a telecommunications relay service provider even if there are parts of the State where it is not technologically feasible to provide the service. Finally, it clarifies that the Division of Deafness is within the Department of Labor not the Department of Education, and it clarifies the membership of the Telecommunications Relay Services Advisory Council.

LD 789 An Act To Make Certain Changes to the Laws Regarding E-9-1-1 Surcharge Collection from Prepaid Wireless and Voice over Internet Protocol Providers

**ACCEPTED ONTP
REPORT**

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

This bill makes several changes to the laws governing the collection of the E911 surcharge for prepaid wireless service and voice over Internet protocol, or VOIP, service.

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This bill makes two changes to this provision of law regarding the determination of a cellular or wireless service customer's place of residence. For post-paid customers, it specifies that the customer's place of primary use, rather than place of residence, must be determined by the sourcing rules in Title 36, section 2556. For prepaid wireless service customers, it specifies that the customer's nexus to Maine must be determined by the sourcing rules in Title 36, section 2556, and authorizes the Public Utilities Commission by rule to establish additional criteria to determine nexus, including the assignment of prepaid wireless service to a telephone number within Maine's area code.

The bill modifies the law relating to the point of sale collection method for the surcharge on pre-paid wireless service to authorize the collection of the surcharge from a "purchaser" in addition to from a "customer."

This bill also modifies the law relating to the average revenue per user, or ARPU, collection method for the surcharge on pre-paid wireless service. Specifically it amends the formula for determining the total surcharge that is collected indirectly from prepaid wireless telephone customers.

Committee Amendment "A" (H-202)

This amendment is the minority report of the committee. The amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to:

1. Form and participate in a stakeholder group to design a method of collecting an E-9-1-1 surcharge on prepaid wireless telecommunications service that is comprehensive, convenient and least burdensome, taking into account the perspectives of prepaid wireless telecommunications service providers, retailers and end users; and
2. Develop recommendations regarding the best method of protecting the integrity of the E-9-1-1 fund under the Maine Revised Statutes, Title 25, section 2927 and ensuring access to federal grant funds related to the E-9-1-1 system.

The amendment requires the commission to report to the Joint Standing Committee on Utilities and Energy by January 15, 2010 on both of these matters and authorizes the Joint Standing Committee on Utilities and Energy to report out legislation on these matters to the Second Regular Session of the 124th Legislature.

LD 790 An Act To Waive Public Utilities Commission Approval of Special Contracts When the Contracts Apply to Detariffed Rates or Terms

PUBLIC 66

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HINCK | OTP-AM | H-58 |

This bill exempts a telephone utility from the requirement to obtain approval from the Public Utilities Commission for a special contract and changes in the rates under such a contract, when that utility has been granted an exemption from the requirement to file rate schedules or terms and conditions, or tariffs, with the commission. The exemption from the special contract approval requirement is limited to the same extent of the exemption from the tariff filing requirement. This means that if a telephone utility has some services exempt from tariff filing, it is only exempt from the special contract approval requirement for those specific services.

Committee Amendment "A" (H-58)

This amendment clarifies the language in the bill regarding the exemption from the requirement for Public Utilities Commission approval of special contracts for certain telephone utilities that are already exempted from the requirement to file rate schedules or terms and conditions.

Enacted Law Summary

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Public Law 2009, chapter 66 exempts a telephone utility from the requirement to obtain approval from the Public Utilities Commission for a special contract and changes in the rates under such a contract, when that utility has been granted an exemption from the requirement to file rate schedules or terms and conditions, or tariffs, with the commission. The exemption from the special contract approval requirement is limited to the same extent of the exemption from the tariff filing requirement. This means that if a telephone utility has some services exempt from tariff filing, it is only exempt from the special contract approval requirement for those specific services.

LD 792 Resolve, Regarding On-bill Financing Programs for Energy Efficiency

RESOLVE 49

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| RAYE | OTP-AM | S-111 |

This bill directs the Public Utilities Commission to develop on-bill financing programs for energy efficiency improvements for small businesses. The bill also authorizes the Public Utilities Commission to direct investor-owned transmission and distribution utilities to implement on-bill financing programs for small business customers. On-bill financing is a method by which energy efficiency improvements are financed through the monthly electricity bill at 0% interest.

Committee Amendment "A" (S-111)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to examine options for establishing an on-bill financing program for the purchase and installation of energy efficiency measures and energy-efficient technologies by small businesses. The amendment also authorizes the commission to consider on-bill financing programs for residential electricity customers. The amendment requires the commission to submit a report of its findings and recommendations regarding on-bill financing to the Joint Standing Committee on Utilities and Energy by January 15, 2010, and it authorizes the committee to submit legislation concerning this subject to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 49 directs the Public Utilities Commission to examine options for establishing an on-bill financing program for the purchase and installation of energy efficiency measures and energy-efficient technologies by small businesses and authorizes the commission to consider on-bill financing programs for residential electricity customers. The resolve requires the commission to submit a report of its findings and recommendations regarding on-bill financing to the Joint Standing Committee on Utilities and Energy by January 15, 2010, and it authorizes the committee to submit legislation concerning this subject to the Second Regular Session of the 124th Legislature.

**LD 844 An Act To Reduce Costs for Customers of Northern Maine
Consumer-owned Utilities**

PUBLIC 108

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| CLEARY COURTNEY | OTP-AM | H-85 |

Under current law a consumer-owned transmission and distribution utility (COU) may sale retail generation service in its own service territory. A COU, however, may not sell wholesale generation service except for incidental sales

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necessary to reduce the cost of retail service. This bill removes that limitation for COUs located within the territory administered by the independent system administrator for northern Maine and authorizes those COUs to sell wholesale generation services, without limitation, for the purpose of reducing its customers' costs.

Committee Amendment "A" (H-85)

This amendment changes the provision in the bill regarding the sale of wholesale generation service by a consumer-owned transmission and distribution utility (COU). The amendment specifies that a COU located within the territory administered by the independent system administrator for northern Maine may sell wholesale generation service in excess of its retail generation service when that sale of wholesale generation service is made as part of providing retail service.

Enacted Law Summary

Public Law 2009, chapter 108 authorizes a consumer-owned transmission and distribution utility located within the territory administered by the independent system administrator for northern Maine to sell wholesale generation service in excess of its retail generation service when that sale of wholesale generation service is made as part of providing retail service.

LD 845 Resolve, To Expand Access to Renewable Energy Programs

**RESOLVE 131
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ADAMS | OTP-AM | H-158 S-328 DIAMOND |

This bill amends the solar and wind energy rebate program administered by the Public Utilities Commission to set aside 50% of the funds available for rebates to owners or tenants of residential or commercial property during the first 6 months of each fiscal year specifically for rebates to residential applicants whose household income is at or below the state median household income. During the remainder of the year, the bill authorizes the commission to distribute the remaining funds available for rebates without reference to the applicant's income level or property type.

Committee Amendment "A" (H-158)

This amendment replaces the bill with a resolve. The resolve directs the Public Utilities Commission, in cooperation with the University of Maine Cooperative Extension Service, to conduct a 2-year outreach and education program to provide information to Maine residents regarding renewable energy technology and systems for residential use and renewable energy programs and incentives available through federal, state and local agencies. The resolve requires the Public Utilities Commission, in cooperation with the University of Maine Cooperative Extension Service, to submit an interim report and a final report on this outreach and education program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and authorizes the commission to adopt routine technical rules as necessary to implement the program. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-328)

This amendment strikes an appropriations and allocations section in committee amendment "A" (H-158) as it is duplicative of appropriations and allocations provided in Resolve 2009, chapter 46.

Enacted Law Summary

Resolve 2009, chapter 131 directs the Public Utilities Commission, in cooperation with the University of Maine

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Cooperative Extension Service, to conduct a 2-year outreach and education program to provide information to Maine residents regarding renewable energy technology and systems for residential use and renewable energy programs and incentives available through federal, state and local agencies. The resolve requires the Public Utilities Commission, in cooperation with the University of Maine Cooperative Extension Service, to submit an interim report and a final report on this outreach and education program to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and authorizes the commission to adopt routine technical rules as necessary to implement the program.

Resolve 2009, chapter 131 was finally passed as an emergency measure effective June 15, 2009.

LD 848 An Act To Encourage Green Commerce

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BECK SULLIVAN | ONTP | |

This bill requires the Maine Technology Institute to establish a new grant program to award funds on a competitive basis to businesses that install or operate green technology that improves energy efficiency and uses renewable resources. The bill authorizes the Maine Technology Institute to apply for funds for this grant program from the conservation program fund of the Public Utilities Commission. It also authorizes the Public Utilities Commission to award funds from the conservation program fund to the Maine Technology Institute's program to support incentives for green technology.

LD 850 An Act To Ensure Local Broadband Coverage

PUBLIC 63
EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PINGREE DAMON | OTP-AM | H-64 |

This bill gives the Public Utilities Commission the authority to adopt rules to require a communications service provider that is providing broadband coverage within at least 50 percent of a municipality's geographic area to expand its broadband coverage to all of the geographic area within that municipality.

Committee Amendment "A" (H-64)

This amendment replaces the bill. The amendment requires the ConnectME Authority, in awarding grants, to give priority to proposals that, relative to other proposals, extend access to broadband service to a higher percentage of an unserved area. The amendment also requires the ConnectME Authority to consider the percentage of households with access to broadband service when establishing criteria to define unserved and underserved areas.

Enacted Law Summary

Public Law 2009, chapter 63 requires the ConnectME Authority, in awarding grants, to give priority to proposals that, relative to other proposals, extend access to broadband service to a higher percentage of an unserved area. The law also requires the ConnectME Authority to consider the percentage of households with access to broadband service when establishing criteria to define unserved and underserved areas.

Public Law 2009, chapter 63 was enacted as an emergency measure effective April 30, 2009.

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LD 883 An Act To Amend the Charter of the Tenants Harbor Standard Water District

**P & S 15
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| RECTOR | OTP-AM | S-53 |

This bill amends the charter of the Tenants Harbor Standard Water District by changing the way the board of trustees is elected. Under the bill, trustees are elected at large by a plurality vote of the voters of the district at the annual meeting of the district. The amendment to the charter is made retroactive to January 1, 1999.

Committee Amendment "A" (S-53)

This amendment clarifies the language in the bill regarding the election of trustees of the Tenants Harbor Standard Water District.

Enacted Law Summary

Private and Special Law 2009, chapter 15 amends the charter of the Tenants Harbor Standard Water District by changing the way the board of trustees is elected, so that trustees are elected at large by a plurality vote of the voters of the district at the annual meeting of the district. This change to the charter is made retroactive to January 1, 1999.

Private and Special Law 2009, chapter 15 was enacted as an emergency measure effective May 8, 2009.

LD 908 Resolve, To Encourage Regional Energy Conservation and Renewable Energy Initiatives

RESOLVE 75

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VALENTINO | OTP-AM | H-308 |

This resolve authorizes Efficiency Maine, within the Public Utilities Commission, to develop a pilot conservation program for the customers served by the Saco Bay transmission line, similar to programs in other states, in order to alleviate the need for large transmission lines in the Saco Bay area. It requires Efficiency Maine to report to the Utilities and Energy committee by February 15, 2010 on the status of the development of the pilot conservation program and implementation plans for program.

Committee Amendment "A" (H-308)

This amendment replaces the resolve. The amendment directs the Public Utilities Commission to encourage collaboration between municipalities in the development and implementation of regional energy conservation and renewable energy projects. The amendment requires the commission to report on its efforts to encourage such projects as part of its December 1, 2009 annual report on conservation programs.

Enacted Law Summary

Resolve 2009, chapter 75 directs the Public Utilities Commission to encourage collaboration between municipalities in the development and implementation of regional energy conservation and renewable energy projects. The resolve requires the commission to report on its efforts to encourage such projects as part of its December 1, 2009 annual report on conservation programs.

Joint Standing Committee on Utilities and Energy

LD 935 **Resolve, Regarding Building Energy Efficiency and Carbon Performance Ratings**

**RESOLVE 134
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOODALL | OTP-AM | S-155 S-329 DIAMOND |

This bill establishes a building energy performance rating program for the purpose of evaluating and rating buildings in terms of energy efficiency and carbon emissions. The program includes a uniform building energy performance evaluation and rating system and report cards. The program is mandatory for state-owned buildings and buildings that lease space to the State. The program is voluntary for other buildings, except that disclosure of report cards is required at the time of the sale of certain private buildings beginning January 1, 2011. The program is administered by the Department of Public Safety, Technical Building Codes and Standards Board with administrative and technical support from the Department of Public Safety, Bureau of Building Codes and Standards.

Committee Amendment "A" (S-155)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission in consultation with a stakeholder group, to develop or select a standardized rating system and reporting form for building energy efficiency and carbon performance, to take several steps to encourage the use of the selected rating system and reporting form and to develop a voluntary library of results. The amendment requires the commission to submit a report on these efforts to the Joint Standing Committee on Utilities and Energy and authorizes the commission to use up to \$50,000 in federal funds received by the commission under the federal American Recovery and Reinvestment Act of 2009 for the purposes of this resolve. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-329)

This amendment strikes an appropriations and allocations section that is duplicative of appropriations and allocations provided in Resolve 2009, chapter 46.

Enacted Law Summary

Resolve 2009, chapter 134 directs the Public Utilities Commission in consultation with a stakeholder group, to develop or select a standardized rating system and reporting form for building energy efficiency and carbon performance, to take several steps to encourage the use of the selected rating system and reporting form and to develop a voluntary library of results. The resolve requires the commission to submit a report on these efforts to the Joint Standing Committee on Utilities and Energy and authorizes the commission to use up to \$50,000 in federal funds received by the commission under the federal American Recovery and Reinvestment Act of 2009 for the purposes of this resolve.

This resolve was finally passed as an emergency measure effective June 16, 2009.

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LD 953 An Act To Amend the Charter of the Winterport Water District

**P & S 11
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| THIBODEAU | OTP | |

This bill repeals language that would discontinue the Winterport Water District's authority to disconnect water of the users of the district's sewer system for nonpayment of sewer service.

Enacted Law Summary

Private and Special Law 2009, chapter 11 repeals language that would discontinue the Winterport Water District's authority to disconnect water of the users of the district's sewer system for nonpayment of sewer service.

Private and Special Law 2009, chapter 11 was enacted as an emergency measure effective April 17, 2009.

LD 954 An Act To Clarify the Role of the Public Advocate

PUBLIC 399

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| THIBODEAU | OTP-AM MAJ ONTP MIN | H-165 S-260 HOBBS |

Under current law, the duties and responsibilities of the Public Advocate are to represent the public in matters within the jurisdiction of the Public Utilities Commission. This bill provides that the Public Advocate must be unencumbered by direction from or approval of the executive branch in fulfilling those duties and responsibilities.

Committee Amendment "A" (H-165)

This amendment is the majority report of the committee. The amendment replaces the bill. The amendment changes the position of the Public Advocate from serving at the pleasure of the Governor to serving a 4-year term that begins and ends midway through the Governor's term of office, effective January 31, 2013. The amendment specifies that the Public Advocate may be removed by the Governor for willful violation of the laws governing the Office of the Public Advocate.

The amendment also directs the Public Utilities Commission to convene and host a working group to evaluate and make recommendations regarding the feasibility and appropriateness of changing the organizational relationship of the Office of the Public Advocate to the Executive Department, for the purpose of ensuring that the Public Advocate has the necessary independence from other influences to fulfill the advocate's statutory duties and responsibilities without compromise. The working group is required to report its findings and recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2010. The committee is authorized to report out legislation on the subject of the report to the Second Regular Session of the 124th Legislature.

Senate Amendment "A" To Committee Amendment "A" (S-260)

This amendment applies the provisions of Committee Amendment "A" regarding the appointment and removal of the Public Advocate to the current Public Advocate, except that this amendment specifies that the term of office of

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the current Public Advocate expires January 31, 2013. This amendment also removes the working group proposed in Committee Amendment "A."

Enacted Law Summary

Public Law 2009, chapter 399 changes the position of the Public Advocate from serving at the pleasure of the Governor to serving a 4-year term that begins and ends midway through the Governor's term of office. The law specifies that the Public Advocate may be removed by the Governor for willful violation of the laws governing the Office of the Public Advocate. The law applies these changes to the current Public Advocate and specifies that the term of office of the current Public Advocate expires January 31, 2013.

LD 968 **Resolve, Regarding New Utility Line Extension Construction**

RESOLVE 69

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| FLETCHER NUTTING J | OTP-AM | H-253 |

This bill directs the Public Utilities Commission to establish by rule standards for estimating the cost of construction of a new line extension by a transmission and distribution utility. The rules must require that a transmission and distribution utility provide a detailed quote that includes all costs to each residential, commercial or industrial customer seeking the construction of a new line extension. It prohibits a transmission and distribution utility from using average, per-unit costs based on the length of the line extension or the number of poles.

Committee Amendment "A" (H-253)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to convene a stakeholder group to study the practices of investor-owned transmission and distribution utilities with respect to new utility line extension construction and how these practices affect private line extension contractors. The amendment requires the commission to report to the Joint Standing Committee on Utilities and Energy no later than February 15, 2010 regarding the findings and recommendations of the stakeholder group. After receipt and review of the report, the committee is authorized to report out legislation to the Second Regular Session of the 124th Legislature, as necessary, to direct the Public Utilities Commission to amend its rules governing private line extensions.

Enacted Law Summary

Resolve 2009, chapter 69 directs the Public Utilities Commission to convene a stakeholder group to study the practices of investor-owned transmission and distribution utilities with respect to new utility line extension construction and how these practices affect private line extension contractors. The resolve requires the commission to report to the Joint Standing Committee on Utilities and Energy no later than February 15, 2010 regarding the findings and recommendations of the stakeholder group. After receipt and review of the report, the committee is authorized to report out legislation to the Second Regular Session of the 124th Legislature, as necessary, to direct the Public Utilities Commission to amend its rules governing private line extensions.

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LD 994 An Act To Amend the Charter of the Milo Water District

P & S 10

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SMITH D | OTP | |

This bill changes the territory of the Milo Water District to include the whole town of Milo.

Enacted Law Summary

Private and Special Law 2009, chapter 10 changes the territory of the Milo Water District to include the whole town of Milo.

LD 1012 Resolve, Directing the ConnectME Authority To Create the Broadband Strategy Council

**RESOLVE 108
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DILL HOBBINS | OTP-AM | H-229 |

The bill establishes the Maine Broadband Commission to advise the University of Maine System on the issue of the transition of the broadband spectrum from analog to digital and to lease or sell excess broadband capacity resulting from the conversion. The bill requires the commission to negotiate and to enter into lease or sales agreements with service providers and ensure the leases and sales potentials and revenues are fully realized for the benefit of the educational system and the State and to work to the goal of broadband access for everyone in the State.

This bill directs the Commissioner of Administrative and Financial Services to ascertain, in consultation with appropriate entities, the maximum funds available from the federal stimulus plan to carry out the purposes of this bill.

Committee Amendment "A" (H-229)

This amendment replaces the bill with a resolve. The amendment directs the ConnectME Authority to establish the Broadband Strategy Council to advise the authority on all matters pertaining to broadband opportunities available under the American Recovery and Reinvestment Act of 2009, as well as advise the University of Maine System with respect to matters pertaining to the lease or sale of excess broadband capacity as a result of the conversion of the educational broadband spectrum from analog to digital. The amendment specifies that the Broadband Strategy Council consists of 11 members, including 2 members of the Senate and 3 members of the House of Representatives, and is staffed by the ConnectME Authority. It also adds an appropriations and allocations section.

Enacted Law Summary

Resolve 2009, chapter 108 directs the ConnectME Authority to establish the Broadband Strategy Council to advise the authority on all matters pertaining to broadband opportunities available under the American Recovery and Reinvestment Act of 2009, as well as advise the University of Maine System with respect to matters pertaining to the lease or sale of excess broadband capacity as a result of the conversion of the educational broadband spectrum from analog to digital. The resolve specifies that the Broadband Strategy Council consists of 11 members, including 2 members of the Senate and 3 members of the House of Representatives, and is staffed by the ConnectME Authority.

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Resolve 2009, chapter 108 was finally passed as an emergency measure effective June 9, 2009.

LD 1030 An Act Establishing a Wind and Solar Energy Loan Guarantee Program

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| BRYANT M BRYANT B | ONTP | |

This bill directs the Public Utilities Commission to implement the Domestic Wind and Solar Energy Loan Guarantee Program and the associated Domestic Wind and Solar Energy Fund, which is a revolving fund account. The program is established to guarantee loans originated and held privately for the purposes of acquiring wind and solar power generation equipment. The loan guarantee must be secured by the equipment purchased with the loan. Residential and small commercial projects may be granted a loan under the program and specific qualifications for the program must be established by the commission by rule. Under the bill, an applicant for a loan guarantee for solar equipment must submit a comprehensive energy audit and an applicant for a loan guarantee for wind equipment must submit reliability and capacity test results of wind power potential.

LD 1044 Resolve, To Promote Cogeneration of Energy at Maine Sawmills

RESOLVE 81

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| FLETCHER SMITH D | OTP-AM | H-302 |

This bill allows a group of manufacturing facilities, including at least one sawmill, to petition the Public Utilities Commission to designate the area surrounding the facilities as a Pine Tree Energy Zone. Within a designated Pine Tree Energy Zone, the bill provides an exemption from the statutory requirements for the construction of transmission lines in the public way for a person who constructs a private transmission line to transmit electricity generated by a cogeneration facility located at a sawmill in the zone. The bill also directs the Public Utilities Commission to amend its rules governing net energy billing to allow sawmills located in Pine Tree Energy Zones to elect net energy billing for a cogeneration facility with an installed capacity of up to 10 megawatts.

Committee Amendment "A" (H-302)

This amendment replaces the bill with a resolve. The amendment directs the Executive Department, Governor's Office of Energy Independence and Security to convene a stakeholder group to examine and make recommendations regarding the concept of cogeneration energy zones, which are described as designated geographic areas including a sawmill with an on-site cogeneration facility. The amendment requires the Governor's Office of Energy Independence and Security to report to the Joint Standing Committee on Utilities and Energy no later than February 15, 2010 regarding the findings and recommendations of the stakeholder group. After receipt and review of the report, the committee is authorized to report out legislation on the subject of cogeneration energy zones to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 81 directs the Executive Department, Governor's Office of Energy Independence and Security to convene a stakeholder group to examine and make recommendations regarding the concept of cogeneration energy zones, which are described as designated geographic areas including a sawmill with an on-site cogeneration

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facility. The resolve requires the Governor's Office of Energy Independence and Security to report to the Joint Standing Committee on Utilities and Energy no later than February 15, 2010 regarding the findings and recommendations of the stakeholder group. After receipt and review of the report, the committee is authorized to report out legislation on the subject of cogeneration energy zones to the Second Regular Session of the 124th Legislature.

LD 1052 An Act To Allow the Use of Net Metering for Energy Production by Consumers

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SIROIS | ONTP | |

This bill defines "net metering" as a service under which electricity produced by a customer is delivered to the customer's transmission and distribution utility and the transmission and distribution utility offsets the value of that electricity from the electricity provided to the customer by the transmission and distribution utility. This bill requires a transmission and distribution utility to offer net metering to a customer who produces alternative or renewable energy and to pay the customer the wholesale rate for electricity for any credit owed the customer annually.

LD 1056 An Act To Simplify the Assessment of E-9-1-1 Surcharges on Prepaid Wireless Telecommunications Service

PUBLIC 400

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|------------------------------|---------------------------|
| FITTS | OTP-AM MAJ OTP-AM MIN | H-270 |

This bill modifies the current method for collecting E-9-1-1 surcharges for prepaid wireless services to require retailers of prepaid wireless services to collect the E-9-1-1 surcharge from purchasers at the point of sale in a manner similar the collection of sales taxes on those services at the point of sale.

Committee Amendment "A" (H-270)

This amendment is the majority report of the committee. Like the bill, the amendment modifies the current method for collecting E-9-1-1 surcharges to require retailers of prepaid wireless services to collect the E-9-1-1 surcharge from purchasers at the point of sale. The amendment makes the following changes to the bill.

1. It adds language to the provision of law governing the E-9-1-1 surcharge clarify the separate collection and remittance procedures for the statewide E-9-1-1 surcharge and the prepaid wireless E-9-1-1 surcharge.
2. It changes the prepaid wireless E-9-1-1 surcharge amount from 15 cents per retail transaction, as proposed in the bill, to 30 cents per retail transaction.
3. It amends the provision in the bill regarding disclosure of the prepaid wireless E-9-1-1 surcharge to address those instances when it is not practicable to state the surcharge separately on an invoice, receipt or similar document.
4. It clarifies the provision in the bill regarding remittance of the prepaid wireless E-9-1-1 surcharge to ensure it is parallel to statutory requirements and rules governing sales tax remittance, particularly with respect to remittance on a basis other than monthly for certain sellers.

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5. It clarifies that the State Tax Assessor rather than the Public Utilities Commission shall establish procedures for a seller to document that a sale is not a retail transaction for the purposes of the prepaid wireless E-9-1-1 surcharge.
6. It limits the allowance for the State Tax Assessor to retain up to 2 percent of remitted prepaid wireless E-9-1-1 surcharges to the first two years after the effective date of this law, and it provides \$10,000 from the E-9-1-1 fund for the State Tax Assessor to establish procedures for administering the collection and remittance of the prepaid wireless E-9-1-1 surcharges.
7. It eliminates the provisions in the bill regarding absolute immunity for prepaid wireless telecommunications service providers and sellers.
8. It amends the provision in the bill regarding the E-9-1-1 funding obligation imposed with respect to telecommunications services to apply to both the statewide E-9-1-1 surcharge and the prepaid wireless E-9-1-1 surcharge.

Committee Amendment "B" (H-271)

This amendment is the minority report of the committee. The amendment replaces the bill. The amendment makes certain changes to the law governing collection of the E-9-1-1 surcharge on prepaid wireless telecommunications service to clarify the determination of whether a prepaid wireless customer has a nexus to the State and to clarify the calculation of an approximate number of customers that is included in one of the methods for determining the surcharge amount that a prepaid wireless telecommunications service provider must remit to the State.

The amendment also directs the Public Utilities Commission to make recommendations to the Joint Standing Committee on Utilities and Energy by January 15, 2010 regarding the best method of protecting the integrity of the E-9-1-1 fund and ensuring access to federal grant funds related to the E-9-1-1 system, and it authorizes the committee to report out legislation on this subject to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Public Law 2009, chapter 400 modifies the method for collecting E-9-1-1 surcharges for prepaid wireless services to require retail sellers of prepaid wireless services to collect the E-9-1-1 surcharge from purchasers at the point of sale. The law establishes the prepaid wireless E-9-1-1 surcharge amount as 30 cents per retail transaction, which is consistent with the surcharge of 30 cents per month per line or number for other telecommunications services, and requires that the surcharge be separately stated on an invoice, receipt or similar document provided to the purchaser when practicable. This law adds language to the statute governing the E-9-1-1 surcharge clarify the separate collection and remittance procedures for the statewide E-9-1-1 surcharge and the prepaid wireless E-9-1-1 surcharge. This law requires that prepaid wireless E-9-1-1 surcharges be remitted to the Treasurer of the State consistent with the remittance of sales taxes. It allows the State Tax Assessor to retain up to 2 percent of remitted prepaid wireless E-9-1-1 surcharges to the first two years after the effective date of the law, and it provides \$10,000 from the E-9-1-1 fund for the State Tax Assessor to establish procedures for administering the collection and remittance of the prepaid wireless E-9-1-1 surcharges.

Public Law 2009, chapter 400 takes effect January 1, 2010.

LD 1061 **Resolve, Regarding Maine's Renewable Resource Portfolio Requirements**

RESOLVE 51

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BLISS | OTP-AM | S-124 |

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This bill requires that a competitive electricity provider of a new renewable capacity resource in the portfolio of supply sources for retail electricity sales in the State must supply all of the electricity from its renewable resource generation facility to the New England Power Pool or the northern Maine independent system for a minimum period of one year. Under the bill, a competitive electricity provider that imports its electricity from a generating facility located outside of the New England Power Pool or the northern Maine independent system may not subject the delivery of electricity to economic withholding or curtailment except for a transmission line outage or when the interpool tie lines are operating at full transfer capacity. A competitive electricity provider that fails to comply with the provisions of this bill may not be considered eligible as a new renewable capacity resource for 12 months.

Committee Amendment "A" (S-124)

This amendment replaces the bill with a resolve. The amendment directs the Public Utilities Commission to review and make recommendations for improvements to the portfolio requirements for new renewable capacity resources that must be met by competitive electricity providers in this State. The amendment specifically requires the commission to examine the costs and benefits of imposing additional requirements on owners and operators of new renewable capacity resources used to satisfy the new renewable portfolio requirements, which was proposed in the bill, and to develop recommendations to strengthen incentives for the development of new renewable resources within the State.

The amendment requires the commission to submit a report of its findings and recommendations for the portfolio requirements for new renewable capacity resources to the Joint Standing Committee on Utilities and Energy by January 15, 2010, and it authorizes the committee to submit legislation concerning this subject to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 51 directs the Public Utilities Commission to review and make recommendations for improvements to the portfolio requirements for new renewable capacity resources that must be met by competitive electricity providers in this State. The resolve specifically requires the commission to examine the costs and benefits of imposing additional requirements on owners and operators of new renewable capacity resources used to satisfy the new renewable portfolio requirements and to develop recommendations to strengthen incentives for the development of new renewable resources within the State.

The resolve requires the commission to submit a report of its findings and recommendations for the portfolio requirements for new renewable capacity resources to the Joint Standing Committee on Utilities and Energy by January 15, 2010, and it authorizes the committee to submit legislation concerning this subject to the Second Regular Session of the 124th Legislature.

LD 1075 An Act To Establish the Community-based Renewable Energy Pilot Program

PUBLIC 329

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MACDONALD | OTP-AM | H-463 |

This bill includes a number of provisions designed to encourage the development of community-based energy facilities and to achieve a goal of having 5 percent of electricity consumed by retail customers produced by community-based energy facilities by 2017.

1. It requires the State to give preference to community-based energy facilities in purchasing electricity for state-owned buildings and facilities.

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2. It increases the value of renewable energy credits for electricity generated by community-based energy facilities to 150 percent of the amount of the electricity.
3. It requires standard-offer service providers to purchase a minimum amount of electricity from community-based energy facilities.
4. It requires the Executive Department, State Planning Office to develop a model legal organizational structure for community-based energy facilities.
5. It requires the Public Utilities Commission and the Executive Department, Governor's Office of Energy Independence and Security to develop and administer a system to track the development of community-based energy facilities.
6. It requires those state agencies that have energy-related responsibilities to develop a plan to consolidate and integrate state-level energy policy and program functions and responsibilities within a single state entity.
7. It authorizes funding from the Energy and Carbon Savings Trust Fund to be used for the development of community-based energy facilities.

Committee Amendment "A" (H-463)

This amendment replaces the bill. Like the bill, the amendment is designed to encourage the development of community-based renewable energy in the State.

Part A establishes the community-based renewable energy pilot program, administered by the Public Utilities Commission, to encourage the sustainable development of community-based renewable energy in the State. The program has a sunset date of December 31, 2015. Participation in the program is limited to 50 megawatts of generating capacity across all projects and each individual project is limited to 10 megawatts of generating capacity. To participate in the program, a community-based renewable energy project must have demonstrated support in the form of a local resolution of support.

A community-based renewable energy project that participates in the program may elect one of two program incentives: a long-term contract for energy generated by the project or a 150 percent multiplier on the value of renewable energy credits for electricity generated by the project, which must be accounted for when renewable energy credits are used to satisfy the State's renewable resource portfolio requirements. For the long-term contract option, the amendment establishes a maximum contract term of 20 years, establishes a cap of 10 cents per kilowatt-hour on the average price per kilowatt-hour within each contract year and requires the commission to ensure that mechanisms are established to protect electricity ratepayers over the contract term. The amendment authorizes the commission to direct investor-owned transmission and distribution utilities to enter into long-term contracts with program participants and authorizes consumer-owned transmission and distribution utilities, at their own option, to enter such contracts.

The amendment requires the commission to report biennially to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding the implementation and effectiveness of the community-based renewable energy pilot program and the overall development of community-based renewable energy projects in the State. In the first biennial report, the commission is required to include recommendations for policy options to encourage the development of community-based renewable energy projects in economically disadvantaged areas of the State. The amendment requires the commission to submit an interim progress report no later than February 15, 2010 regarding the development and implementation of the program.

Part A also authorizes, but does not require, the State to give preference to electricity generated by community-based renewable energy projects when purchasing electricity for the State and authorizes, but does not require, the

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commission to incorporate energy generated by community-based renewable energy projects into the supply of standard-offer service.

Part B requires the commission to arrange for a green power offer that is composed of electricity or renewable energy credits for electricity generated from renewable resources, including electricity generated by community-based renewable energy projects. It requires the commission to administer a competitive bid process to select a green power offer provider or providers. The amendment requires the commission to arrange the green power offer for the service territory of an investor-owned transmission and distribution utility and enables a consumer-owned transmission and distribution utility to elect to have the commission arrange a green power offer if the commission arranges standard-offer service for that utility. The amendment requires the commission to inform consumers about the opportunity to purchase the green power offer and adds language to current law to allow for information regarding the green power offer to be presented through inserts in customer bills under the process that currently exists for other green power supply products. The amendment provides a sunset date of December 31, 2015 for the green power offer and for the existing law regarding bill inserts to inform consumers about green power supply products, which is currently repealed July 1, 2010.

Enacted Law Summary

Public Law 2009, chapter 329 is designed to encourage the development of community-based renewable energy in the State.

Part A establishes the community-based renewable energy pilot program, administered by the Public Utilities Commission, to encourage the sustainable development of community-based renewable energy in the State. The program has a sunset date of December 31, 2015. Participation in the program is limited to 50 megawatts of generating capacity across all projects and each individual project is limited to 10 megawatts of generating capacity. To participate in the program, a community-based renewable energy project must have demonstrated support in the form of a local resolution of support.

A community-based renewable energy project that participates in the program may elect one of 2 program incentives: a long-term contract for energy generated by the project or a 150 percent multiplier on the value of renewable energy credits for electricity generated by the project, which must be accounted for when renewable energy credits are used to satisfy the State's renewable resource portfolio requirements. For the long-term contract option, the law establishes a maximum contract term of 20 years, establishes a cap of 10 cents per kilowatt-hour on the average price per kilowatt-hour within each contract year and requires the commission to ensure that mechanisms are established to protect electricity ratepayers over the contract term. This law authorizes the commission to direct investor-owned transmission and distribution utilities to enter into long-term contracts with program participants and authorizes consumer-owned transmission and distribution utilities, at their own option, to enter such contracts.

The law requires the commission to report biennially to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters regarding the implementation and effectiveness of the community-based renewable energy pilot program and the overall development of community-based renewable energy projects in the State. In the first biennial report, the commission is required to include recommendations for policy options to encourage the development of community-based renewable energy projects in economically disadvantaged areas of the State. The law requires the commission to submit an interim progress report no later than February 15, 2010 regarding the development and implementation of the program.

Part A also authorizes, but does not require, the State to give preference to electricity generated by community-based renewable energy projects when purchasing electricity for the State and authorizes, but does not require, the commission to incorporate energy generated by community-based renewable energy projects into the supply of standard-offer service.

Part B requires the commission to arrange for a green power offer that is composed of electricity or renewable

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energy credits for electricity generated from renewable resources, including electricity generated by community-based renewable energy projects. It requires the commission to administer a competitive bid process to select a green power offer provider or providers. The law also requires the commission to arrange the green power offer for the service territory of an investor-owned transmission and distribution utility and enables a consumer-owned transmission and distribution utility to elect to have the commission arrange a green power offer if the commission arranges standard-offer service for that utility. It requires the commission to inform consumers about the opportunity to purchase the green power offer and adds language to current law to allow for information regarding the green power offer to be presented through inserts in customer bills under the process that currently exists for other green power supply products. The law provides a sunset date of December 31, 2015 for the green power offer and for the existing law regarding bill inserts to inform consumers about green power supply products, which is currently repealed July 1, 2010.

LD 1095 An Act To Provide Affordable Installation of Alternative Energy Systems

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BECK HOBBINS | ONTP | |

Under current law governing the solar and wind energy rebate program, an owner or tenant of residential or commercial property may receive a rebate for a qualified solar energy system that is installed on the property. This bill amends the law to provide that the installer of a qualified solar energy system or the owner or tenant of the property on which the qualified solar energy system is installed may receive the rebate. If the installer receives the rebate, the installer is required to pass through 100 percent of the rebate to the property owner or tenant.

LD 1114 An Act To Facilitate the Marketing of Power Produced by Small Generators

PUBLIC 197

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VAN WIE | OTP-AM | H-226 |

This bill allows a transmission and distribution utility to aggregate electric power from multiple small generators and administer on behalf of those generators the purchase and sale of electricity to a competitive electricity provider. The parties to any resulting sale must be the generators and the competitive electricity provider.

Committee Amendment "A" (H-226)

This amendment replaces the bill and makes the following changes.

1. It clarifies the specific types of small generators whose power may be aggregated for sale to a competitive electricity provider by defining "eligible small generator" as a generator that has a generating capacity of up to 5 megawatts and generates electricity using a renewable resource or an efficient combined heat and power system.
2. It provides for sale of aggregated output from eligible small generators to the standard-offer service provider in the event that a transmission and distribution utility is unable to sell the aggregated output to a competitive electricity provider.
3. It permits, rather than requires as in the bill, the Public Utilities Commission to adopt rules to implement the sale

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of aggregated output of eligible small generators to competitive electricity providers, including rules to allow a transmission and distribution utility to collect an administrative fee from participating eligible small generators to cover reasonable costs incurred by the transmission and distribution utility. It classifies the rules as routine technical rather than major substantive as in the bill.

Enacted Law Summary

Public Law 2009, chapter 197 allows a transmission and distribution utility to aggregate electric power from eligible small generators and administer on behalf of those generators the purchase and sale of electricity to a competitive electricity provider. The law defines an "eligible small generator" as a generator that has a generating capacity of up to 5 megawatts and generates electricity using a renewable resource or an efficient combined heat and power system. The law provides for sale of aggregated output from eligible small generators to the standard-offer service provider in the event that a transmission and distribution utility is unable to sell the aggregated output to a competitive electricity provider. The law authorizes the Public Utilities Commission to adopt routine technical rules to implement the sale of aggregated output of eligible small generators to competitive electricity providers, including rules to allow a transmission and distribution utility to collect an administrative fee from participating eligible small generators to cover reasonable costs incurred by the transmission and distribution utility.

**LD 1152 An Act To Amend the Laws Governing Certain Reports and Reviews
Related to Utilities and Energy and Certain Positions at the Public
Utilities Commission**

PUBLIC 122

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HINCK | OTP | |

This bill makes several changes to the laws governing Public Utilities Commission reports and reviews and the titles of positions at the commission.

1. This bill synchronizes the State Government Evaluation Act review reporting requirements for the Public Utilities Commission and the Emergency Services Communication Bureau within the commission. The commission review and the Emergency Services Communication Bureau review, under current law, are due in different years.
2. The bill incorporates the annual report on the gas conservation programs, natural gas rate-making mechanisms, electric restructuring, electric incentive ratemaking and low-income assistance programs and oxygen pump and ventilator benefits into the annual report of the commission. Under current law these annual reports have separate statutory reporting deadlines.
3. The bill clarifies that the Emergency Services Communication Bureau and public interest payphone annual reports, which under current law have the same statutory due date as the commission's annual report, are submitted as part of the commission's annual report as opposed to being submitted separately.
4. The bill eliminates the requirement that the commission report every four years to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the appropriateness of the maximum fee for blocking or unblocking access to audiotext services and any recommendations for changing the fee.
5. Finally, the bill makes changes to the description of certain existing positions at the commission.

Enacted Law Summary

Public Law 2009, chapter 122 makes several changes to the laws governing Public Utilities Commission reports and reviews and the titles of positions at the commission.

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1. It synchronizes the State Government Evaluation Act review reporting requirements for the Public Utilities Commission and the Emergency Services Communication Bureau within the commission. The commission review and the Emergency Services Communication Bureau review, under current law, are due in different years.
2. It incorporates the annual report on the gas conservation programs, natural gas rate-making mechanisms, electric restructuring, electric incentive ratemaking and low-income assistance programs and oxygen pump and ventilator benefits into the annual report of the commission. Under current law these annual reports have separate statutory reporting deadlines.
3. It clarifies that the Emergency Services Communication Bureau and public interest payphone annual reports, which under current law have the same statutory due date as the commission's annual report, are submitted as part of the commission's annual report as opposed to being submitted separately.
4. It eliminates the requirement that the commission report every four years to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters on the appropriateness of the maximum fee for blocking or unblocking access to audiotext services and any recommendations for changing the fee.
5. Finally, this law makes changes to the description of certain existing positions at the commission.

**LD 1155 An Act To Make Certain Changes to the Laws Governing Approval for
Transmission Lines**

PUBLIC 123

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HOBBINS | OTP | |

Public Law 2007, chapter 575 lowered the threshold for requiring a certificate of public convenience and necessity for a transmission line from 100 kilovolts to 69 kilovolts. This bill removes certain language rendered unnecessary by the change in the threshold.

Enacted Law Summary

Public Law 2009, chapter 123 removes certain language rendered unnecessary by the change in the threshold for requiring a certificate of public convenience and necessity for a transmission line from 100 kilovolts to 69 kilovolts that was contained in Public Law 2007, chapter 575.

LD 1176 An Act To Revise the Charter of the Portland Water District

P & S 18

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

This bill revises several aspects of the charter of the Portland Water District. The bill makes a series of fairly technical changes related to bonding and financing. It amends the charter to change the election date for the trustees serving Windham and Raymond, so that trustee is elected at general elections in November. It also changes the meeting at which the trustees determine and declare successful candidates from the annual meeting to the first regular business meeting after the election. It adds a provision to the charter to authorize the district to enter into

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contracts with municipalities outside the district, governmental entities or water or sewer utilities to provide administrative services such as billing, accounting and other administrative services related to water and sewer operations.

Enacted Law Summary

Private and Special Law 2009, chapter 18 revises several aspects of the charter of the Portland Water District. It makes a series of fairly technical changes related to bonding and financing. It amends the charter to change the election date for the trustees serving Windham and Raymond, so that trustee is elected at general elections in November. It also changes the meeting at which the trustees determine and declare successful candidates from the annual meeting to the first regular business meeting after the election. It adds a provision to the charter to authorize the district to enter into contracts with municipalities outside the district, governmental entities or water or sewer utilities to provide administrative services such as billing, accounting and other administrative services related to water and sewer operations.

LD 1222 An Act To Promote Geothermal Energy in the State

Carried Over

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DIAMOND | | |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a tax incentive program for geothermal energy, similar to the federal Energy Improvement and Extension Act of 2008 and the state solar and wind energy rebate program, to address the needs of residents who live in areas where solar or wind power are not viable options. Under proposed incentive program, homeowners who install geothermal heating and cooling systems would be eligible for a one-time tax credit of a percentage of the total investment for residential ground loop or ground water geothermal heat pump installations, with a maximum credit for a single residence.

LD 1222 was carried over to any special or regular session of the 124th Legislature pursuant to Joint Order H.P. 1053.

LD 1317 An Act To Amend the Charter of the Addison Point Water District

**P & S 21
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TILTON RAYE | OTP-AM | H-296 |

This bill amends the charter of the Addison Point Water District. It allows the district to have an annual meeting at the discretion of the trustees and requires that the trustees are elected at the annual meeting or at a special meeting if a vacancy occurs before the term of a trustee expires. It gives the trustees the authority to elect a treasurer and set the compensation for the treasurer. It requires the district to set rates in accordance with the Maine Revised Statutes, Title 35-A, chapter 61, and it authorizes the district to issue bonds and other indebtedness in accordance with Title 35-A, chapter 9 and section 6413.

Committee Amendment "A" (H-296)

This amendment clarifies the provision in the bill regarding the election of trustees of the Addison Point Water District and the transition of those trustees in office on the effective date of this Act. The amendment makes a

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technical change to the provision of the bill regarding borrowing and issuance of bonds by substituting the language in the bill with a cross-reference to identical language contained in the Standard Water District Enabling Act.

The amendment also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Private and Special Law 2009, chapter 21 amends the charter of the Addison Point Water District. It allows the district to have an annual meeting at the discretion of the trustees and requires that the trustees are elected at the annual meeting or at a special meeting if a vacancy occurs before the term of a trustee expires. It gives the trustees the authority to elect a treasurer and set the compensation for the treasurer. It requires the district to set rates in accordance with the Maine Revised Statutes, Title 35-A, chapter 61, and it authorizes the district to issue bonds and other indebtedness in accordance with Title 35-A, chapter 9 and section 6413.

Private and Special Law 2009, chapter 21 was enacted as an emergency measure effective June 2, 2009.

LD 1318 An Act To Create the Hancock Pond Water District

**P & S 20
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CURTIS | OTP-AM | H-303 |

This bill creates the Hancock Pond Water District as a standard water district consisting of the inhabitants and territory of the Towns of Madison and Anson. The Hancock Pond Water District is created by combining the Madison Water District and the Anson Water District. The establishment of the Hancock Pond Water District is subject to approval at a referendum held within two years of the effective date of this Act.

Committee Amendment "A" (H-303)

This amendment removes the provision in the bill that authorizes the Hancock Pond Water District to provide sewerage services. It also makes technical changes to clarify language and to correct cross-references to the Standard Water District Enabling Act in the section of the bill regarding the powers of the district to take water, construct and maintain necessary infrastructure and to supply water and in the section of the bill regarding the board of trustees, including the nomination and election of trustees, the first board, terms of office and eligibility requirements.

Enacted Law Summary

Private and Special Law 2009, chapter 20 creates the Hancock Pond Water District as a standard water district consisting of the inhabitants and territory of the Towns of Madison and Anson. The Hancock Pond Water District is created by combining the Madison Water District and the Anson Water District. The establishment of the Hancock Pond Water District is subject to approval at a referendum held within two years of the effective date of this Act.

Private and Special Law 2009, chapter 20 was enacted as an emergency measure effective June 2, 2009, for the purpose of permitting its submission to the voters of the district in a referendum.

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LD 1334 An Act To Ensure Continued Access to Emergency Information in the State by Allowing Governments To Build Federally Licensed Television Translators

PUBLIC 117

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HOBBS | OTP | |

This bill permits municipalities and counties to receive federal funds for the construction and operation of broadcast television translator stations.

Enacted Law Summary

Public Law 2009, chapter 117 permits municipalities and counties to receive federal funds for the construction and operation of broadcast television translator stations.

LD 1348 Resolve, To Provide Grants to Public Educational and Municipal Entities for Feasibility Studies of Renewable Energy Projects

**RESOLVE 65
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| ADAMS | OTP-AM | H-227 |

This bill requires the Public Utilities Commission to establish and administer a program to provide grants to public educational and municipal entities to conduct feasibility studies for the installation and operation of renewable energy projects on public property. The bill authorizes the commission to apply for funding from the Energy and Carbon Savings Trust Fund to fund the grant program.

Committee Amendment "A" (H-227)

This amendment replaces the bill with a resolve. The resolve directs the Public Utilities Commission to utilize federal stimulus funds made available under the federal American Recovery and Reinvestment Act of 2009 to provide grants to public educational and municipal entities to conduct feasibility studies for the installation and operation of cost-effective renewable energy projects on public property. The amendment directs the commission to give priority to applicants that commit to fund 10% of the cost of the feasibility study either in a financial commitment or the equivalent value of volunteer or in-kind contributions. The amendment authorizes the commission to adopt rules as necessary to administer the grants and directs the Public Utilities Commission to submit an interim report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters by April 1, 2010 and a final report no later than December 31, 2011 regarding the grants provided.

Enacted Law Summary

Resolve 2009, chapter 65 directs the Public Utilities Commission to utilize federal stimulus funds made available under the federal American Recovery and Reinvestment Act of 2009 to provide grants to public educational and municipal entities to conduct feasibility studies for the installation and operation of cost-effective renewable energy projects on public property. It directs the commission to give priority to applicants that commit to fund 10% of the cost of the feasibility study either in a financial commitment or the equivalent value of volunteer or in-kind contributions. It authorizes the commission to adopt rules as necessary to administer the grants and directs the Public Utilities Commission to submit an interim report to the joint standing committee of the Legislature having

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jurisdiction over utilities and energy matters by April 1, 2010 and a final report no later than December 31, 2011 regarding the grants provided.

Resolve 2009, chapter 65 was finally passed as an emergency measure effective May 22, 2009.

LD 1349 An Act To Streamline Ratemaking for Consumer-owned Water Utilities

PUBLIC 237

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| BLANCHARD SHERMAN | OTP-AM | H-320 |

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to give a consumer-owned water utility the authority to decrease its rates or to increase its rates between 3 percent and 5 percent without the changes being subject to investigation and suspension by the Public Utilities Commission before the changes go into effect. The bill proposes to limit such increases or decreases in rates to a total of 10 percent during a 5-year period.

Committee Amendment "A" (H-320)

This amendment replaces the bill. The amendment allows a consumer-owned water utility that has negative net income in two consecutive fiscal years to file for a limited rate increase under a streamlined process. The rate increase that a consumer-owned water utility may propose is limited to 2, 3.5 or 5 percent of current rates depending on the size of the utility as measured by annual revenues, and the cumulative total of rate increases over 5 years is limited to 10 percent. Under the streamlined process, a consumer-owned water utility is required to hold a public meeting regarding the proposed rate increase and provide a public comment period at that meeting. After the public meeting, the governing body of the consumer-owned water utility is required to hold a meeting to deliberate and vote on the proposed rate increase. The consumer-owned water utility is required to record and file with the Public Utilities Commission minutes of the public meeting and the meeting of the governing body, which must include a record of the public comment, the vote of the governing body and responses of the governing body to the public comment received. The amendment requires the utility to file its changed rates with the commission within 30 days of the vote of the governing body and not sooner than 10 days following the vote.

Enacted Law Summary

Public Law 2009, chapter 237 allows a consumer-owned water utility that has negative net income in 2 consecutive fiscal years to file for a limited rate increase under a streamlined process. The rate increase that a consumer-owned water utility may propose is limited to 2, 3.5 or 5 percent of current rates depending on the size of the utility as measured by annual revenues, and the cumulative total of rate increases over 5 years is limited to 10 percent. Under the streamlined process, a consumer-owned water utility is required to hold a public meeting regarding the proposed rate increase and provide a public comment period at that meeting. After the public meeting, the governing body of the consumer-owned water utility is required to hold a meeting to deliberate and vote on the proposed rate increase. The consumer-owned water utility is required to record and file with the Public Utilities Commission minutes of the public meeting and the meeting of the governing body, which must include a record of the public comment, the vote of the governing body and responses of the governing body to the public comment received. This law requires the utility to file its changed rates with the commission within 30 days of the vote of the governing body and not sooner than 10 days following the vote.

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LD 1350 An Act To Establish the Maine Transmission Mitigation Trust Fund

Carried Over

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MARTIN J L JACKSON | | |

This bill imposes a state excise tax per megawatt hour of electricity transmitted over certain high-voltage electric transmission property. The bill also creates the Maine Transmission Mitigation Trust and the Maine Transmission Mitigation Trust Fund. The revenue from the imposition of the state excise tax on certain high-voltage electric transmission property is deposited in the trust fund, which is managed by the trust. The trustees of the trust are required to distribute 20% of the trust fund, up to \$10,000,000, annually to municipalities that have submitted winning bids to the trust for projects to install underground utility infrastructure. The remainder of the trust fund must be paid to electricity customers in proportion to each customer's purchases of electricity transmitted over the State's transmission and distribution utilities transmission lines.

LD 1350 was carried over to any special or regular session of the 124th Legislature pursuant to Joint Order H.P. 1053.

LD 1369 An Act To Amend the Charter of the Clinton Water District

P & S 22

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FITTS MARRACHE | OTP-AM | H-338 |

This bill amends the charter of the Clinton Water District. It amends the territorial limits of the district. It changes trustees from being appointed to being elected, amends the salaries of the trustees and the treasurer and amends date of the annual meeting of the district.

Committee Amendment "A" (H-338)

This amendment changes the provision of the bill regarding the trustees of the Clinton Water District. The amendment clarifies the language regarding trustee compensation by establishing the level of trustee compensation at \$700 each per year beginning October 1, 2009. The amendment replaces the language in the bill regarding nominations and elections of trustees with a cross-reference to the corresponding language in the Standard Water District Enabling Act and incorporates by reference a provision for filling vacancies on the board which was omitted from the bill. The amendment provides language regarding the transition from appointed to elected trustees.

Enacted Law Summary

Private and Special Law 2009, chapter 22 amends the charter of the Clinton Water District. It amends the territorial limits of the district. It changes trustees from being appointed to being elected, amends the salaries of the trustees and the treasurer and amends date of the annual meeting of the district. It establishes the level of trustee compensation at \$700 each per year beginning October 1, 2009. This law also provides for the transition from appointed to elected trustees.

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LD 1430 An Act To Ensure Electric Capacity To Serve Maine Consumers

Carried Over

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BOWMAN | | |

This bill amends the laws governing electric utilities to define "capacity resource" to include distributed generation resource. It specifies that determinations relating to capability responsibility, which is defined in the bill as the amount of electric generation capacity required to meet the needs of electricity users within the State, must be made by the State. It establishes a goal of supporting the integrated use of demand response programs and distributed generation resources in order to fulfill the State's capability responsibility. Finally, it amends the law to require, rather than permit, the Public Utilities Commission to enter into contracts for interruptible, demand response or energy efficiency capacity resources.

LD 1430 was carried over to any special or regular session of the 124th Legislature pursuant to Joint Order H.P. 1053.

LD 1450 An Act To Establish the Renewable Energy Resources Program

ONTP

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

This bill creates Title 35-A, Chapter 36, Renewable Energy Resources. The bill requires Public Utilities Commission to establish by rule a renewable energy resources program to encourage the rapid and sustainable development of renewable energy resources and technology for environmentally healthy generation of electricity. The bill defines an eligible electric generator under the program as a generator that contributes no net carbon addition to the atmosphere, generates electricity from certain specified renewable resources, has a maximum generating capacity of 20 megawatts and is majority owned by person owning less than 20 megawatts of generating capacity in the state.

The bill requires the commission to create a standard contract for the purchase of electricity from an eligible electric generator by a grid operator. Under the bill, upon request of an eligible electric generator, a grid operator must enter power purchase agreement using the standard contract to purchase all electricity from that generator for at least 20 years. The bill requires the commission to set the rates paid to eligible electric generators for electricity under the standard contract and establishes additive incentive premiums to be paid in addition to the established rates. It requires the commission to establish a surcharge that must be imposed on all electricity customers sufficient to pay the costs of electricity purchased from eligible electric generators and interconnection costs.

The bill requires the commission to review rates paid under the program every two years and make adjustments as necessary and to report on the program to the Governor and the Legislature by January 1, 2010, January 1, 2011, and every four years thereafter.

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LD 1465 An Act To Facilitate Testing and Demonstration of Renewable Ocean Energy Technology

PUBLIC 270
EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| HOBBS | OTP-AM | S-249 |

This bill contains several provisions to facilitate research and development and demonstration of renewable ocean energy technologies.

Part A streamlines state permitting of offshore wind energy demonstration projects by creating a general permit administered by the Department of Environmental Protection for qualified projects located in specific identified offshore areas.

Part B streamlines the process for issuance of a state submerged lands lease for an offshore wind energy demonstration project granted a general permit in accordance with Part A of the bill or a tidal energy demonstration project granted a general permit under Part D of the bill.

Part C calls for a public process to identify up to 5 specific offshore areas in which an offshore wind energy demonstration project may be granted a general permit as provided in Part A of the bill based on consideration of potential effects on natural resources and existing uses, community support and other factors. Part C further provides for designation of one of these areas as the Maine Offshore Wind Energy Research Center to facilitate offshore wind energy-related research and development conducted by or in cooperation with the University of Maine System.

Part D streamlines state permitting of tidal energy demonstration projects by creating a general permit administered by the Department of Environmental Protection for projects eligible for a pilot project license from the Federal Energy Regulatory Commission.

Committee Amendment "A" (S-249)

The amendment makes the following changes to the bill:

1. It clarifies the language in the bill regarding the specification of an exclusion zone around an offshore wind energy demonstration project.
2. It adds the lobster management policy council for the lobster management zone in which an offshore wind energy project is proposed to the list of required entities with whom an applicant for a general permit for an offshore wind energy demonstration project must consult in the development of plans required as part of the general permit application;
3. It adds a provision to allow the University of Maine System to hold more than one general permit for an offshore wind energy project in the Maine Offshore Wind Energy Research Center as long as the projects employ differing wind energy technologies;
4. It clarifies the provisions in the bill regarding the application review period, the term of a general permit, permit extensions and the termination of offshore wind energy developments and adds language to provide an initial 5-year project period for projects in the Maine Offshore Wind Energy Research Center, as compared with the initial 3-year project period for projects located elsewhere;

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5. It adds language to limit the number of ocean energy generating units in the Maine Offshore Wind Energy Research Center to 6 units in operation at any one time in that area and it provides a definition of ocean energy generating units;
6. It clarifies the language in the bill regarding the initial identification of offshore wind energy test areas by the Department of Environmental Protection and subsequent modification of the initial list of identified areas;
7. It adds language to provide that identification of an offshore wind energy test area or areas constitutes final agency action of the Department of Conservation; and
8. It adds an emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2009, chapter 270 contains several provisions to facilitate research and development and demonstration of renewable ocean energy technologies.

Part A of this law streamlines state permitting of offshore wind energy demonstration projects by creating a general permit administered by the Department of Environmental Protection for qualified offshore wind energy demonstration projects located in specific identified offshore areas.

Part B of this law streamlines the process for issuance of a state submerged lands lease for an offshore wind energy demonstration project granted a general permit in accordance with Part A of the bill or a tidal energy demonstration project granted a general permit under Part D of the bill.

Part C of this sets forth a public process to identify up to 5 specific offshore areas in which an offshore wind energy demonstration project may be granted a general permit as provided in Part A of the bill based on consideration of potential effects on natural resources and existing uses, community support and other factors. The law specifies that identification of an offshore wind energy test area or areas constitutes final agency action of the Department of Conservation.

Part C further provides for designation of one of these areas as the Maine Offshore Wind Energy Research Center to facilitate offshore wind energy-related research and development conducted by or in cooperation with the University of Maine System. The law allows the University of Maine System to hold more than one general permit for an offshore wind energy project in the Maine Offshore Wind Energy Research Center as long as the projects employ differing wind energy technologies, and it limits the number of ocean energy generating units in the Maine Offshore Wind Energy Research Center to 6 units in operation at any one time in that area.

Part D of this law streamlines state permitting of tidal energy demonstration projects by creating a general permit administered by the Department of Environmental Protection for projects eligible for a pilot project license from the Federal Energy Regulatory Commission.

Public Law 2009, chapter 270 was enacted as an emergency measure effective June 4, 2009.

LD 1467 An Act Relating to the Carrabassett Valley Sanitary District

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CROCKETT J | ONTP | |

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This bill provides that the common-law rule that holds that a claim of adverse possession or prescriptive easement may not be maintained against land owned by the government or a quasi-governmental entity does not apply in the limited case where a transmission line from a generating facility is located on or over property owned by the Carrabassett Valley Sanitary District and within 300 feet of a utility substation. The bill also shortens the prescriptive period from 20 to 10 years in this limited case.

LD 1494 An Act To Amend the Charter of the Limestone Water and Sewer District

P & S 26

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| MARTIN J L JACKSON | | |

This bill prohibits a person serving an appointed member of the Greater Limestone Wastewater Treatment Facility Board from serving as an officer of the elected board of trustees of the Limestone Water and Sewer District. The bill also limits the jurisdiction of the wastewater treatment facility board to the operation and maintenance of the facility, compliance with environmental regulations applicable to that facility, rate changes and changes in the terms and conditions of wastewater service provided by the district to the Loring Development Authority of Maine. It also clarifies that the elected board of trustees of the district remains vested with authority over all other affairs of the district, including the authority to borrow money and issue bonds in the name of the district.

Enacted Law Summary

Private and Special Law 2009, chapter 26 prohibits a person serving an appointed member of the Greater Limestone Wastewater Treatment Facility Board from serving as an officer of the elected board of trustees of the Limestone Water and Sewer District. This law also limits the jurisdiction of the wastewater treatment facility board to the operation and maintenance of the facility, compliance with environmental regulations applicable to that facility, rate changes and changes in the terms and conditions of wastewater service provided by the district to the Loring Development Authority of Maine. It also clarifies that the elected board of trustees of the district remains vested with authority over all other affairs of the district, including the authority to borrow money and issue bonds in the name of the district.

Joint Standing Committee on Utilities and Energy

SUBJECT INDEX

E911

Enacted

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| LD 264 | An Act To Amend the Surcharge for the E-9-1-1 System | PUBLIC 416 EMERGENCY |
| LD 555 | An Act To Promote Public Safety Answering Point Efficiency | PUBLIC 219 |
| LD 1056 | An Act To Simplify the Assessment of E-9-1-1 Surcharges on Prepaid Wireless Telecommunications Service | PUBLIC 400 |

Not Enacted

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| LD 597 | An Act To Amend the Laws Governing Public Safety Answering Points | ONTP |
| LD 789 | An Act To Make Certain Changes to the Laws Regarding E-9-1-1 Surcharge Collection from Prepaid Wireless and Voice over Internet Protocol Providers | ACCEPTED ONTP REPORT |

Electricity

Enacted

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| LD 44 | An Act Regarding Requirements for Approval of a Transmission Line | PUBLIC 309 |
| LD 147 | An Act To Facilitate the Protection of Electric Utility Consumer Interests in Public Utility Commission Cases Involving the Construction, Rebuilding or Relocating of Transmission Lines | PUBLIC 26 |
| LD 336 | Resolve, Regarding Legislative Review of Chapter 313: Net Energy Billing Rule To Allow Shared Ownership, a Major Substantive Rule of the Public Utilities Commission | RESOLVE 20 EMERGENCY |
| LD 608 | An Act To Protect Electricity Consumers in Northern Maine | PUBLIC 285 |
| LD 792 | Resolve, Regarding On-bill Financing Programs for Energy Efficiency | RESOLVE 49 |
| LD 844 | An Act To Reduce Costs for Customers of Northern Maine Consumer-owned Utilities | PUBLIC 108 |
| LD 968 | Resolve, Regarding New Utility Line Extension Construction | RESOLVE 69 |
| LD 1044 | Resolve, To Promote Cogeneration of Energy at Maine Sawmills | RESOLVE 81 |

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| LD 1114 | An Act To Facilitate the Marketing of Power Produced by Small Generators | PUBLIC 197 |
| LD 1155 | An Act To Make Certain Changes to the Laws Governing Approval for Transmission Lines | PUBLIC 123 |
| <u>Not Enacted</u> | | |
| LD 43 | An Act To Promote Consumer Fairness in Alternative Energy | ONTP |
| LD 314 | Resolve, Directing the Public Utilities Commission To Study the Feasibility of the Merger of Certain Utilities | ONTP |
| LD 543 | An Act Concerning the Allocation of Power Generated by GNE, LLC | |
| LD 596 | An Act To Allow Electricity Customers Who Operate Generating Facilities To Be Paid in Cash for Excess Net Energy Produced | ONTP |
| LD 1052 | An Act To Allow the Use of Net Metering for Energy Production by Consumers | ONTP |
| LD 1350 | An Act To Establish the Maine Transmission Mitigation Trust Fund | |
| LD 1430 | An Act To Ensure Electric Capacity To Serve Maine Consumers | |

Energy

Enacted

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| LD 276 | An Act To Protect the Integrity of the State's Carbon Dioxide Budget Trading Program and Auction Process and To Provide Allocations to the Energy and Carbon Savings Trust Fund | PUBLIC 200 EMERGENCY |
| LD 335 | Resolve, Regarding Legislative Review of Chapter 2: Administration of Trust, Budgeting, Project Selection Criteria and Procedures, Monitoring and Evaluation Requirements, a Major Substantive Rule of the Energy and Carbon Savings Trust | RESOLVE 19 EMERGENCY |
| LD 407 | Resolve, To Identify Funding Available To Promote the Use of Energy-efficient Furnaces | RESOLVE 18 EMERGENCY |

Energy Conservation

Enacted

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| LD 908 | Resolve, To Encourage Regional Energy Conservation and Renewable Energy Initiatives | RESOLVE 75 |
| LD 935 | Resolve, Regarding Building Energy Efficiency and Carbon Performance Ratings | RESOLVE 134 EMERGENCY |

Miscellaneous - Utilities and Energy

Enacted

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| LD 954 | An Act To Clarify the Role of the Public Advocate | PUBLIC 399 |
| LD 1152 | An Act To Amend the Laws Governing Certain Reports and Reviews Related to Utilities and Energy and Certain Positions at the Public Utilities Commission | PUBLIC 122 |

Not Enacted

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| LD 334 | An Act To Clarify the So-called Dig Safe Law | ONTP |
| LD 717 | An Act To Ensure Proper Oversight of Propane Facilities | ONTP |

Natural Gas

Enacted

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| LD 120 | An Act Regarding Assistance to Low-income Customers of Gas Utilities | PUBLIC 35 |
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Renewable Resources

Enacted

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| LD 73 | An Act To Protect the Right To Use Solar Energy | PUBLIC 273 |
| LD 220 | An Act To Increase the Availability of Solar and Wind Power | PUBLIC 88 EMERGENCY |
| LD 389 | An Act To Facilitate the State's Existing Commitment to the Production of Liquid Biofuels | PUBLIC 124 |
| LD 845 | Resolve, To Expand Access to Renewable Energy Programs | RESOLVE 131 EMERGENCY |
| LD 1061 | Resolve, Regarding Maine's Renewable Resource Portfolio Requirements | RESOLVE 51 |
| LD 1075 | An Act To Establish the Community-based Renewable Energy Pilot Program | PUBLIC 329 |
| LD 1348 | Resolve, To Provide Grants to Public Educational and Municipal Entities for Feasibility Studies of Renewable Energy Projects | RESOLVE 65 EMERGENCY |
| LD 1465 | An Act To Facilitate Testing and Demonstration of Renewable Ocean Energy Technology | PUBLIC 270 EMERGENCY |

Not Enacted

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| LD 396 | An Act Regarding Installation of Solar Energy Systems under the Solar and Wind Energy Rebate Program | ONTP |
| LD 418 | An Act To Facilitate the Development of Ocean Wind Power | ONTP |
| LD 651 | An Act To Amend the Wind Energy Rebate Program Eligibility Requirements | ONTP |

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| LD 848 | An Act To Encourage Green Commerce | ONTP |
| LD 1030 | An Act Establishing a Wind and Solar Energy Loan Guarantee Program | ONTP |
| LD 1095 | An Act To Provide Affordable Installation of Alternative Energy Systems | ONTP |
| LD 1222 | An Act To Promote Geothermal Energy in the State | |
| LD 1450 | An Act To Establish the Renewable Energy Resources Program | ONTP |

Telecommunications

Enacted

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| LD 127 | An Act To Prohibit Telephone Charges Not Representing Services or Fees Requested by the Customer or Authorized by the Government | PUBLIC 36 |
| LD 766 | An Act To Promote Telecommunications Availability for the Deaf and Hard of Hearing | PUBLIC 68 |
| LD 790 | An Act To Waive Public Utilities Commission Approval of Special Contracts When the Contracts Apply to Detariffed Rates or Terms | PUBLIC 66 |
| LD 850 | An Act To Ensure Local Broadband Coverage | PUBLIC 63 EMERGENCY |
| LD 1012 | Resolve, Directing the ConnectME Authority To Create the Broadband Strategy Council | RESOLVE 108 EMERGENCY |
| LD 1334 | An Act To Ensure Continued Access to Emergency Information in the State by Allowing Governments To Build Federally Licensed Television Translators | PUBLIC 117 |

Not Enacted

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| LD 146 | An Act To Require Telephone Directories To Include Cellular Telephone Numbers for Businesses | ONTP |
| LD 764 | An Act To Allow Municipalities To Offer Access to the Internet through Digital Subscriber Lines | ONTP |

Water/Sewer - Charters

Enacted

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| LD 131 | An Act To Amend the Charter of the Athens Standard Water District | P & S 1 |
| LD 200 | An Act To Amend the Charter of the Caribou Utilities District | P & S 8 |
| LD 275 | An Act To Amend the Charter of the Limestone Water and Sewer District | P & S 5 EMERGENCY |

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| LD 883 | An Act To Amend the Charter of the Tenants Harbor Standard Water District | P & S 15 EMERGENCY |
| LD 953 | An Act To Amend the Charter of the Winterport Water District | P & S 11 EMERGENCY |
| LD 994 | An Act To Amend the Charter of the Milo Water District | P & S 10 |
| LD 1176 | An Act To Revise the Charter of the Portland Water District | P & S 18 |
| LD 1317 | An Act To Amend the Charter of the Addison Point Water District | P & S 21 EMERGENCY |
| LD 1318 | An Act To Create the Hancock Pond Water District | P & S 20 EMERGENCY |
| LD 1369 | An Act To Amend the Charter of the Clinton Water District | P & S 22 |
| LD 1494 | An Act To Amend the Charter of the Limestone Water and Sewer District | P & S 26 |

Not Enacted

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| LD 1467 | An Act Relating to the Carrabassett Valley Sanitary District | ONTP |
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Water/Sewer - General

Enacted

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| LD 238 | An Act Regarding Consumer-owned Water Utilities and Contracts for Large-scale Extraction and Transportation of Water | PUBLIC 37 |
| LD 650 | An Act To Create a Funding Structure for Sustainable Investment in Public Water and Wastewater Infrastructure in the State | PUBLIC 377 |
| LD 1349 | An Act To Streamline Ratemaking for Consumer-owned Water Utilities | PUBLIC 237 |

Not Enacted

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| LD 55 | An Act To Prohibit the Commercial Sale of Water by a Water District | ONTP |
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