

**§3210-E. Electric utility and conservation benefits****(CONTAINS TEXT WITH VARYING EFFECTIVE DATES)****(WHOLE SECTION TEXT EFFECTIVE UNTIL 12/31/34)****(WHOLE SECTION TEXT REPEALED 12/31/34)**

**1. Discount rates.** Transmission and distribution utilities may offer discounted rates to qualified Pine Tree Development Zone businesses established under Title 30-A and qualified businesses with respect to the Dirigo business incentives program established under Title 36, section 5219-AAA. If a transmission and distribution utility requires approval prior to offering any such rate, the transmission and distribution utility shall apply to the commission in accordance with applicable provisions of this Title, and the commission may approve the rate if it finds it to be in accord with applicable requirements of this Title, except that the commission may take into account the overall benefits to ratepayers resulting from state efforts to promote economic development.

[PL 2023, c. 412, Pt. J, §4 (AMD).]

**2. Line extensions.** When approving or authorizing line extension terms and conditions for qualified Pine Tree Development Zone businesses established under Title 30-A, the commission may take into account the overall benefits to ratepayers resulting from state efforts to promote economic development within Pine Tree Development Zones established pursuant to Title 30-A.

[PL 2009, c. 627, §5 (NEW); PL 2009, c. 627, §12 (AFF).]

**3. Conservation programs.**

[PL 2009, c. 627, §5 (NEW); PL 2009, c. 627, §12 (AFF); MRSA T. 35-A §3210-E, sub-§3 (RP).]

**4. Conservation programs.** Beginning July 1, 2010, in designing and implementing conservation programs pursuant to section 10110, the Efficiency Maine Trust may make available to qualified Pine Tree Development Zone businesses established under Title 30-A special programs of enhanced value to aid state efforts to promote economic development within Pine Tree Development Zones. A program made available pursuant to this subsection must be cost-effective as defined by the Efficiency Maine Trust by rule or order pursuant to section 10110.

[PL 2009, c. 627, §5 (NEW); PL 2009, c. 627, §12 (AFF).]

**5. Electricity sales.** Notwithstanding section 3210, the sale of electricity by a competitive electricity provider is exempt from the requirements of that section if the electricity is sold to:

A. A qualified Pine Tree Development Zone business established under Title 30-A; or [PL 2023, c. 412, Pt. J, §5 (NEW).]

B. A for-profit manufacturing or targeted technology business in this State engaged in or that will engage in a qualified business activity that will result in the addition of at least one qualified employee above its base level of employment in this State if:

(1) The business demonstrates that the establishment or expansion of operations within the State would not occur absent the availability of the benefits provided under this subsection and provides to the Department of Economic and Community Development, at a minimum, a signed and notarized statement to this effect. The department shall determine whether the business has met the requirements of this subparagraph; and

(2) The business has received a letter of certification from the Commissioner of Economic and Community Development that the business meets the qualifications of this subsection and that describes the qualified business activity of the business. The Commissioner of Economic and Community Development shall issue a certificate to a business after the commissioner has verified that the business met the requirements of this paragraph and has added at least one

qualified employee above its base level of employment. A letter of certification is valid for 10 years. [PL 2023, c. 412, Pt. J, §5 (NEW).]

For the purposes of this subsection, "base level of employment" has the same meaning as in Title 30-A, section 5250-I, subsection 4; "qualified business activity" means a business activity conducted within a tier 1 Pine Tree Development Zone as described in Title 30-A, section 5250-J, subsection 3-A that is directly related to manufacturing or a targeted technology business for which the business receives a letter of certification from the Commissioner of Economic and Community Development pursuant to paragraph B, subparagraph (2); "qualified employee" means a qualified Pine Tree Development Zone employee as defined in Title 30-A, section 5250-I, subsection 18; and "targeted technology business" means a business primarily involved in one or more targeted technologies as defined in Title 5, section 15301, subsection 2.

A business eligible for the exemption under this subsection may request that the commission waive the exemption for the sale of electricity to that business.

The commission may adopt routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, to implement this subsection.

[PL 2023, c. 412, Pt. J, §5 (AMD).]

**6. Repeal.** This section is repealed December 31, 2034.

[PL 2023, c. 412, Pt. J, §6 (AMD).]

#### SECTION HISTORY

PL 2009, c. 627, §5 (NEW). PL 2009, c. 627, §12 (AFF). PL 2011, c. 413, §4 (AMD). PL 2017, c. 440, §6 (AMD). PL 2021, c. 398, Pt. IIII, §2 (AMD). PL 2023, c. 412, Pt. J, §§4-6 (AMD).

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