



125th MAINE LEGISLATURE

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Legislative Document

No. 1676

S.P. 575

In Senate, December 21, 2011

An Act To Increase Energy Options

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 19, 2011. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

Joseph G. Carleton Jr.

JOSEPH G. CARLETON, JR.
Secretary of the Senate

Presented by President RAYE of Washington.

Cosponsored by Senators: RECTOR of Knox, SNOWE-MELLO of Androscoggin,

Representatives: BURNS of Whiting, CRAFTS of Lisbon, MAKER of Calais, MORISSETTE of Winslow, MOULTON of York, TURNER of Burlington.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §3212, sub-§6**, as amended by PL 2003, c. 141, §2, is
3 further amended to read:

4 **6. Consumer-owned utilities.** Notwithstanding any other provision of this section,
5 the commission is not required to conduct a competitive bidding process or select a
6 standard-offer service provider or providers for the territory of a consumer-owned
7 transmission and distribution utility or the territory of a municipal power district under
8 chapter 39 that is not a transmission and distribution utility if the consumer-owned
9 transmission and distribution utility or municipal power district chooses one or more
10 standard-offer service providers for its territory through a competitive bidding process
11 conducted in accordance with the commission's rules governing the selection and criteria
12 for approval of a standard-offer service provider, or if the consumer-owned transmission
13 and distribution utility or municipal power district enters into one or more contracts to
14 purchase power at wholesale for the purpose of providing retail generation service within
15 its service territory. Selection of a standard-offer service provider or providers and
16 agreements with or purchases from a standard-offer service provider or providers or other
17 wholesale power supply providers are not subject to the approval requirements of section
18 3133 or 3133-A. A consumer-owned transmission and distribution utility or municipal
19 power district may choose a single standard-offer service provider. A consumer-owned
20 transmission and distribution utility or municipal power district that intends to choose a
21 standard-offer service provider or providers, or to enter into a wholesale power purchase
22 contract for the purpose of providing retail generation service within its service territory,
23 in accordance with this subsection shall notify the commission.

24 **Sec. 2. 35-A MRSA §3908, sub-§2**, as enacted by PL 1987, c. 141, Pt. A, §6, is
25 amended to read:

26 **2. Electricity.** Generate, manufacture, purchase, acquire, accumulate, transmit,
27 distribute, sell, supply and dispose of electricity to individuals and corporations within the
28 district and, if it chooses, provide standard-offer service in accordance with section 3212,
29 subsection 6 whether or not the district serves as a transmission and distribution utility;

30 **Sec. 3. 35-A MRSA §3912, sub-§1**, as enacted by PL 1987, c. 141, Pt. A, §6, is
31 amended to read:

32 **1. Payment of current expenses of operation and maintenance.** To pay the
33 current expenses for operating and maintaining the electric system or associated with
34 providing standard-offer service, including the cost of fuel and to provide for normal
35 renewals and replacements;

36 **SUMMARY**

37 This bill grants to communities not served by consumer-owned utilities the
38 opportunity to manage their own standard-offer electricity supply in the same manner
39 permitted for communities served by consumer-owned utilities.

