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Resolve
123rd Legislature
Second Regular Session

Chapter 177
H.P. 1434 - L.D. 2050

**Resolve, Directing the Public Utilities Commission and
the Public Advocate To Advocate for the Adoption and
Implementation of Demand-side Management Programs**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, demand-side management programs save money for Maine energy consumers by reducing the need for new generation plants and minimizing the use of existing generation plants and protect the environment by avoiding the burning of fossil fuels and the creation of carbon dioxide emissions; and

Whereas, the Independent System Operator New England regional transmission organization, of which 2 of Maine's transmission and distribution utilities are members, has established demand-side management programs that compensate participants for reductions in energy and capacity demand on the transmission and distribution system; and

Whereas, in response to the ISO New England demand-side management programs and encouragement from ISO New England to participate in these programs, many of Maine's largest consumers of electricity invested in special equipment and training and revised their business protocols in order to utilize the programs; and

Whereas, ISO New England has recently adopted changes to its demand-side management programs that compromise the value of the significant investments that have been made by large consumers of electricity in Maine in order to utilize those programs; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Sec. 1 Demand-side management programs. Resolved: That the Public Utilities Commission and the Public Advocate shall, as appropriate, use the powers and authorities granted to them under the Maine Revised Statutes, Title 35-A, including the right to participate in proceedings and activities of federal agencies and regional bodies affecting consumers of electricity in this State, to advocate for and facilitate and support the development, adoption and implementation of demand-side

management programs that may include provisions that compensate participants for reductions in energy and capacity demand on the transmission and distribution system or the increased output of on-site generation.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 31, 2008.