§3201. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1997, c. 316, §3 (NEW).]

1. Affiliated interest. "Affiliated interest" has the same meaning as provided in section 707, subsection 1, paragraph A.
[PL 1997, c. 316, §3 (NEW).]

2. Aggregate. "Aggregate" means to organize individual electricity consumers into a group or entity for the purpose of purchasing electricity on a group basis.
[PL 1997, c. 316, §3 (NEW).]

3. Aggregator. "Aggregator" means an entity that gathers individual consumers together for the purpose of purchasing electricity.
[PL 1999, c. 398, Pt. A, §72 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

4. Broker. "Broker" means an entity that acts as an agent or intermediary in the sale and purchase of electricity but that does not take title to electricity.
[PL 1997, c. 316, §3 (NEW).]

5. Competitive electricity provider. "Competitive electricity provider" means a marketer, broker, aggregator or any other entity selling electricity to the public at retail, but does not include an electric vehicle charging station or an entity that generates electricity solely for the use of:

A. The entity; [PL 2019, c. 205, §5 (NEW).]

B. The entity's tenants; or [PL 2019, c. 205, §5 (NEW).]

C. Commercial or industrial consumers located on:

(1) The property where the entity is located or on abutting property; or

(2) A commercial or industrial site that was served by the entity or its predecessor without using the transmission and distribution plant of a public utility prior to December 31, 2018. [PL 2019, c. 205, §5 (NEW).]

[PL 2019, c. 205, §5 (AMD).]

6. Consumer-owned transmission and distribution utility. "Consumer-owned transmission and distribution utility" means any transmission and distribution utility wholly owned by its consumers, including its consumers served in the State. "Consumer-owned transmission and distribution utility" includes but is not limited to:

A. The transmission and distribution portion of a rural electrification cooperative organized under chapter 37; [PL 1997, c. 316, §3 (NEW).]

B. The transmission and distribution portion of an electrification cooperative organized on a cooperative plan under the laws of the State; [PL 1997, c. 316, §3 (NEW).]

C. A municipal or quasi-municipal transmission and distribution utility located in the State; [PL 2019, c. 311, §1 (AMD).]

D. The transmission and distribution portion of a municipal or quasi-municipal entity located in the State providing generation and other services; and [PL 2019, c. 311, §1 (AMD).]

E. A transmission and distribution utility wholly owned by a municipality located in the State. [PL 2019, c. 311, §1 (AMD).]

[PL 2019, c. 311, §1 (AMD).]

7. Divest. "Divest" means to legally transfer ownership and control to an entity that is not an affiliated interest.

[PL 1997, c. 316, §3 (NEW).]

7-A. Efficient combined heat and power system. "Efficient combined heat and power system" means a system that:

A. Produces heat and electricity from one fuel input, without restriction to specific fuel or generating technology; [PL 2009, c. 197, §1 (NEW).]

B. Has an electric generating capacity rating of at least one kilowatt and not more than 30 kilowatts and a fuel system efficiency of not less than 80% in the production of heat and electricity, or has an electric generating capacity of at least 31 kilowatts and a fuel system efficiency of not less than 65% in the production of heat and electricity; [PL 2009, c. 197, §1 (NEW).]

C. May work in combination with supplemental or parallel conventional heating systems; [PL 2009, c. 197, §1 (NEW).]

D. Is manufactured, installed and operated in accordance with applicable government and industry standards; and [PL 2009, c. 197, §1 (NEW).]

E. Is connected to the electric grid and operated in conjunction with the facilities of a transmission and distribution utility. [PL 2009, c. 197, §1 (NEW).]

[PL 2009, c. 197, §1 (NEW).]

8. Electric billing and metering services. "Electric billing and metering services" means the following services:

A. Billing and collection; [PL 1997, c. 316, §3 (NEW).]

B. Provision of a meter; [PL 1997, c. 316, §3 (NEW).]

C. Meter maintenance and testing; and [PL 1997, c. 316, §3 (NEW).]

D. Meter reading. [PL 1997, c. 316, §3 (NEW).]

[PL 1997, c. 316, §3 (NEW).]

8-A. Eligible small generator. "Eligible small generator" means a generator that has a generating capacity of 5 megawatts or less and generates electricity using:

A. A renewable resource, as defined in section 3210, subsection 2, paragraph C; or [PL 2009, c. 197, §2 (NEW).]

B. An efficient combined heat and power system. [PL 2009, c. 197, §2 (NEW).]

[PL 2009, c. 197, §2 (NEW).]

8-B. Electric vehicle charging station provider. "Electric vehicle charging station provider" means a person selling electricity for the sole purpose of transferring electric energy between a charger and the battery or other energy storage device in an electric vehicle.

[PL 2015, c. 29, §3 (NEW).]

8-C. Employer and employee harmony agreement. "Employer and employee harmony agreement" means an agreement between an employer and one or more labor organizations representing or seeking to represent the employer's employees that includes:

A. A guarantee against strikes, lockouts and similar disruptions; [PL 2023, c. 660, §2 (NEW).]

B. Mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work and safety and health; and [PL 2023, c. 660, §2 (NEW).]

C. Mutually binding procedures for resolving labor disputes. [PL 2023, c. 660, §2 (NEW).]

[PL 2023, c. 660, §2 (NEW).]

9. Entity. "Entity" means a person or organization, including but not limited to any political, governmental, quasi-governmental, corporate, business, professional, trade, agricultural, cooperative, for-profit or nonprofit organization.
[PL 1997, c. 316, §3 (NEW).]

10. Generation assets. "Generation assets" includes all real estate, fixtures and personal property owned, controlled, operated or managed in connection with, or to facilitate, the generation of electric power.
[PL 1997, c. 316, §3 (NEW).]

11. Generation service. "Generation service" means the provision of electric power to a consumer through a transmission and distribution utility but does not encompass any activity related to the transmission or distribution of that power.
[PL 1997, c. 316, §3 (NEW).]

11-A. Investor-owned transmission and distribution utility. "Investor-owned transmission and distribution utility" has the same meaning as in section 3104, subsection 1, paragraph A.
[PL 2019, c. 478, Pt. A, §1 (NEW).]

12. Large, investor-owned transmission and distribution utility. "Large, investor-owned transmission and distribution utility" means an investor-owned transmission and distribution utility serving more than 50,000 retail customers.
[PL 1997, c. 316, §3 (NEW).]

13. Marketer. "Marketer" means an entity that as an intermediary purchases electricity and takes title to electricity for sale to retail consumers.
[PL 1999, c. 398, Pt. A, §72 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

13-A. Nameplate capacity. "Nameplate capacity" means the installed or rated capacity of a power generator.
[PL 2019, c. 478, Pt. A, §2 (NEW).]

14. Public entity. "Public entity" includes the State, any political subdivision of the State, a municipality and any quasi-municipal entity.
[PL 1997, c. 316, §3 (NEW).]

15. Qualifying facility. "Qualifying facility" has the same meaning as provided in section 3303.
[PL 1997, c. 316, §3 (NEW).]

16. Small, investor-owned transmission and distribution utility. "Small, investor-owned transmission and distribution utility" means an investor-owned transmission and distribution utility serving 50,000 or fewer retail customers.
[PL 1997, c. 316, §3 (NEW).]

17. Retail access. "Retail access" means the right of a retail consumer of electricity to purchase generation service from a competitive electricity provider.
[PL 1997, c. 316, §3 (NEW).]

18. Transmission and distribution plant.
[PL 1999, c. 398, Pt. A, §73 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

19. Transmission and distribution utility.
[PL 1999, c. 398, Pt. A, §73 (RP); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

SECTION HISTORY

PL 1997, c. 316, §3 (NEW). PL 1999, c. 398, §§A72,73 (AMD). PL 1999, c. 398, §§A104,105 (AFF). PL 2009, c. 197, §§1, 2 (AMD). PL 2015, c. 29, §§2, 3 (AMD). PL 2019, c. 205, §5

(AMD). PL 2019, c. 311, §1 (AMD). PL 2019, c. 478, Pt. A, §§1, 2 (AMD). PL 2023, c. 660, §2 (AMD).

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