

## CHAPTER 34-B

### THE MAINE SOLAR ENERGY ACT

#### §3471. Short title

This chapter may be known and cited as "the Maine Solar Energy Act." [PL 2013, c. 562, §1 (NEW).]

#### SECTION HISTORY

PL 2013, c. 562, §1 (NEW).

#### §3472. Legislative findings

**1. Public interest.** The Legislature finds that it is in the public interest to develop renewable energy resources, including solar energy, in a manner that protects and improves the health and well-being of the citizens and natural environment of the State while also providing economic benefits to communities, ratepayers and the overall economy of the State. [PL 2013, c. 562, §1 (NEW).]

**2. Contribution of solar energy development.** The Legislature finds that the solar energy resources of the State constitute a valuable indigenous and renewable energy resource and that solar energy development, which is unique in its benefits to and impacts on the climate and the natural environment, can make a contribution to the general welfare of the citizens of the State for the following reasons:

A. Solar energy is an energy resource that does not rely on fossil fuel combustion and therefore it can displace energy provided by that source and reduce air pollution and greenhouse gas emissions; and [PL 2013, c. 562, §1 (NEW).]

B. There is an inexhaustible supply of solar energy throughout the State that should be used cost-effectively for heat and electricity using current technology. [PL 2013, c. 562, §1 (NEW).]  
[PL 2013, c. 562, §1 (NEW).]

#### SECTION HISTORY

PL 2013, c. 562, §1 (NEW).

#### §3473. Specific measures to support solar energy

**1. Monitoring.** The commission shall monitor the level of solar energy development in the State in relation to the goals in section 3474, basic trends in solar energy markets and the relative costs and benefits from solar energy development, including but not limited to:

A. Revenue from the sale of renewable energy credits; [PL 2023, c. 307, §3 (NEW).]

B. Societal benefits through avoided greenhouse gas emissions; [PL 2023, c. 307, §3 (NEW).]

C. Reduced electricity prices; and [PL 2023, c. 307, §3 (NEW).]

D. Avoided or reduced costs associated with:

(1) Electricity capacity requirements;

(2) Environmental compliance requirements;

(3) Portfolio requirements established in section 3210;

(4) Renewable energy credit price suppression; and

(5) Electricity transmission and distribution costs. [PL 2023, c. 307, §3 (NEW).]

[PL 2023, c. 307, §3 (RPR).]

**1-A. Reporting.** By January 1st of each year, the commission shall provide a summary report of its findings under subsection 1 to the joint standing committee of the Legislature having jurisdiction over energy matters.

[PL 2023, c. 307, §4 (NEW).]

**2. Economic development.** Within existing programs and resources, the State, including the Small Enterprise Growth Program, as established in Title 10, chapter 13; the Maine Technology Institute, as established in Title 5, section 12004-G, subsection 33-D; the Maine Rural Development Authority, as established in Title 5, section 12004-F, subsection 18; the Finance Authority of Maine, as established in Title 10, chapter 110; and the Department of Economic and Community Development, shall seek opportunities to promote investment in solar energy development, generation and manufacturing.

[PL 2013, c. 562, §1 (NEW).]

## SECTION HISTORY

PL 2013, c. 562, §1 (NEW). PL 2023, c. 307, §§3, 4 (AMD).

### §3474. Determination of public policy; state solar energy generation goals

**1. Encouragement of solar energy-related development.** It is the policy of the State in furtherance of the goals established in subsection 2 to encourage the attraction of appropriately sited development related to solar energy generation, including any additional transmission, distribution and other energy infrastructure needed to transport additional solar energy to market, consistent with all state environmental standards; the permitting and financing of solar energy projects; appropriate utility rate structures; and the siting, permitting, financing and construction of solar energy research and manufacturing facilities for the benefit of all ratepayers.

[PL 2013, c. 562, §1 (NEW).]

**2. State solar energy generation goals.** When encouraging the development of solar energy generation, the State shall pursue cost-effective developments, policies and programs that advance the following goals:

A. Ensuring that solar electricity generation, along with electricity generation from other renewable energy technologies, meaningfully contributes to the generation capacity of the State through increasing private investment in solar capacity in the State; [PL 2013, c. 562, §1 (NEW).]

B. Ensuring that the production of thermal energy from solar technologies meaningfully contributes to reducing the State's dependence on imported energy sources; [PL 2013, c. 562, §1 (NEW).]

C. Ensuring that the production of electricity from solar energy meaningfully contributes to mitigating more costly transmission and distribution investments otherwise needed for system reliability; [PL 2013, c. 562, §1 (NEW).]

D. Ensuring that solar energy provides energy that benefits all ratepayers regardless of income level; [PL 2013, c. 562, §1 (NEW).]

E. Increasing the number of businesses and residences using solar technology as an energy resource; and [PL 2013, c. 562, §1 (NEW).]

F. Increasing the State's workforce engaged in the manufacturing and installation of solar technology. [PL 2013, c. 562, §1 (NEW).]

[PL 2013, c. 562, §1 (NEW).]

**3. Interconnection rules.** The commission shall adopt rules related to the interconnection of renewable capacity resources, as defined in section 3210-C, subsection 1, paragraph E, using solar

power, referred to in this subsection as "solar resources," and energy storage systems, as defined in section 3481, subsection 6, whether or not colocated with solar resources, to investor-owned transmission and distribution utilities, as defined in section 3201, subsection 11-A, in a manner that supports the goals in this section and ensures:

- A. The State's interconnection rules reflect nationally recognized best practices, which may include, but are not limited to, those established by the Interstate Renewable Energy Council, or successor organization, and prioritize interconnection of solar resources and energy storage systems owned by customers of investor-owned transmission and distribution utilities and used to serve an on-site load; [PL 2023, c. 307, §5 (AMD).]
- B. Customers affected by deficiencies in the rules are able to access timely resolution processes that do not place an undue burden on the customer; and [PL 2021, c. 264, §1 (NEW).]
- C. Investments in investor-owned transmission and distribution utility distribution upgrades related to load are coordinated with utility infrastructure upgrades required for the interconnection of renewable capacity resources using solar power and energy storage systems. [PL 2023, c. 307, §5 (AMD).]

Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2023, c. 307, §5 (AMD).]

**4. Interconnection ombudsman; fund.** The interconnection ombudsman appointed pursuant to section 107, subsection 1 shall assist persons seeking interconnections governed by rules adopted under subsection 3. The commission shall appoint an interconnection ombudsman who possesses technical expertise related to interconnection and interconnection procedures.

- A. The duties of the interconnection ombudsman include but are not limited to:
  - (1) Tracking interconnection disputes;
  - (2) Facilitating the efficient and fair resolution of disputes between customers seeking to interconnect and investor-owned transmission and distribution utilities;
  - (3) Reviewing investor-owned transmission and distribution utility interconnection policies to assess opportunities for reducing interconnection disputes;
  - (4) Convening stakeholder groups as necessary to facilitate effective communication between interconnection stakeholders;
  - (5) Preparing reports that detail the number, type, resolution timeline and outcome of interconnection disputes; and
  - (6) Any other technical or regulatory work involving public utilities. [PL 2023, c. 643, Pt. WWW, §1 (AMD).]
- B. The commission by rule shall establish a fee to be paid by persons seeking interconnections to fund the interconnection ombudsman. Notwithstanding Title 5, section 8071, rules adopted under this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2023, c. 307, §6 (NEW).]
- C. The interconnection ombudsman fund is established within the commission as a nonlapsing fund for the purposes of offsetting costs for interconnection-related activities undertaken by the interconnection ombudsman. The commission shall deposit all fees collected under this subsection into the fund and all money in the fund must be used to fund the interconnection ombudsman. In addition to the fees established in accordance with this subsection, the fund may accept federal money and contributions from private and public sources. [PL 2023, c. 643, Pt. WWW, §1 (AMD).]

Any activities undertaken by the interconnection ombudsman pursuant to paragraph A, subparagraph (6) must be funded in accordance with section 116.

[PL 2023, c. 643, Pt. WWW, §1 (AMD).]

#### SECTION HISTORY

PL 2013, c. 562, §1 (NEW). PL 2021, c. 264, §1 (AMD). PL 2023, c. 307, §§5, 6 (AMD). PL 2023, c. 643, Pt. WWW, §1 (AMD).

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