§3132-C. Nonwires alternatives investigation and recommendations

1. Investigation required. The nonwires alternative coordinator shall conduct an investigation of and make recommendations regarding nonwires alternatives to a wires project under section 3132, 3132-A or 3132-B in accordance with this section. The investigation must be conducted in coordination with the Efficiency Maine Trust. For the purposes of this section, "wires project" means a transmission line and associated infrastructure subject to the requirements of section 3132, a transmission project or subtransmission project as defined in section 3132-A or a small transmission project or distribution project covered by section 3132-B.
[PL 2023, c. 355, §11 (AMD).]

2. Investigation methods; benefit-cost analysis. An investigation under subsection 1 must set forth the total projected costs and annual carrying costs of the wires project and the nonwires alternatives over the effective life of the wires project. The investigation must include a benefit-cost analysis that evaluates the cost-effectiveness of nonwires alternatives as compared to the wires project, under which:

A. Benefits and costs are measured in net present value; [PL 2019, c. 298, §14 (NEW).]

B. Benefits reflect total, quantifiable avoided costs and are calculated from the perspective of the investor-owned transmission and distribution utility and ratepayers, including any deferral value; and [PL 2019, c. 298, §14 (NEW).]

C. Costs are calculated from the perspective of the investor-owned transmission and distribution utility. For a nonwires alternative, costs include the utility's cost of any contracts required to deliver the nonwires alternative but do not include any ratepayer contributions to the cost of the nonwires alternative. [PL 2019, c. 298, §14 (NEW).]
[PL 2019, c. 298, §14 (NEW).]

3. Data. An investor-owned transmission and distribution utility shall provide data requested by the Public Advocate or the Efficiency Maine Trust, subject to enforcement by the commission, to allow the nonwires alternative coordinator, in conjunction with the trust, to carry out investigation and analysis under this section. The trust shall use utility ratepayer usage data to identify cost-effective nonwires alternatives on the customer side of the meter. An investor-owned transmission and distribution utility may request a protective order if necessary to protect the confidentiality of customer data or critical energy infrastructure information provided under this section in accordance with section 1311-A.
[PL 2023, c. 355, §12 (AMD).]

4. Recommendations. On the basis of the investigation under subsection 1, the nonwires alternative coordinator shall develop and provide to the commission or to an investor-owned transmission and distribution utility, as appropriate, recommendations regarding cost-effective nonwires alternatives to the wires project, including a proposed plan for procurement of the recommended nonwires alternatives that identifies components that are behind the meter or on the grid side of the meter and is consistent with the provisions of section 3132-D.
[PL 2025, c. 681, §2 (AMD).]

5. Rules. The commission may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.
[PL 2025, c. 681, §3 (NEW).]

SECTION HISTORY

PL 2019, c. 298, §14 (NEW). PL 2023, c. 355, §§11, 12 (AMD). PL 2025, c. 681, §§2, 3 (AMD).

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