

### §3132-D. Nonwires alternatives procurement

When the commission determines a nonwires alternative is appropriate under section 3132, 3132-A or 3132-B or an investor-owned transmission and distribution utility agrees voluntarily to a nonwires alternative under section 3132-B, the utility shall procure the nonwires alternative in accordance with this section. [PL 2019, c. 298, §15 (NEW).]

**1. Behind the meter alternatives.** For a nonwires alternative on the customer side of the meter, the investor-owned transmission and distribution utility shall contract with the Efficiency Maine Trust to deliver the nonwires alternative through the trust's programs. [PL 2019, c. 298, §15 (NEW).]

**2. Grid-side alternatives.** For a nonwires alternative on the grid side of the meter, the commission shall determine an entity, which may include but is not limited to the investor-owned transmission and distribution utility or a 3rd party, to deliver the nonwires alternative and shall make orders as necessary; except, when a utility voluntarily agrees to a nonwires alternative on the grid side of the meter under section 3132-B, the utility shall determine the entity to deliver the nonwires alternative. [PL 2019, c. 298, §15 (NEW).]

An investor-owned transmission and distribution utility's prudently incurred costs to deliver nonwires alternatives directly or under contract with the Efficiency Maine Trust or a 3rd party are recoverable in rates. For purposes of this section, prudently incurred costs do not include a financial or performance incentive for the utility. [PL 2019, c. 298, §15 (NEW).]

#### SECTION HISTORY

PL 2019, c. 298, §15 (NEW).

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