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Date: (Filing No. S- )

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**STATE OF MAINE  
SENATE  
130TH LEGISLATURE  
FIRST REGULAR SESSION**

SENATE AMENDMENT “ ” to H.P. 218, L.D. 314, “An Act To Continue the Green Power Electricity Offer”

Amend the bill by striking out everything after the enacting clause and inserting the following:

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 35-A MRSA §3212-B** is enacted to read:

**§3212-B. Green power options**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Green power supply" means electricity or renewable energy credits for electricity generated from renewable capacity resources as defined in section 3210, subsection 2, paragraph B-3, including electricity generated by community-based renewable energy projects as defined in section 3602, subsection 1.

B. "Renewable energy credit" has the same meaning as in section 3210, subsection 2, paragraph B-2.

**1-A. Green power offer.** The commission shall arrange for a green power offer that is composed of green power supply in accordance with this subsection. Except as provided in this subsection, the commission shall ensure that the green power offer is available to all residential and small commercial electricity customers, as defined by the commission by rule, and shall administer a competitive bid process to select a green power offer provider or providers for the service territory of a transmission and distribution utility.

A. The green power offer must be in addition to existing standard-offer service under section 3212.

B. The commission shall, to the maximum extent possible:

(1) Incorporate green power supply from community-based renewable energy projects, as defined in section 3602, subsection 1, into the green power offer; and

(2) Encourage entities based in this State to provide green power supply from community-based renewable energy projects, as defined in section 3602, subsection 1, for the green power offer pursuant to this subsection.

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1           C. The green power offer may include incidental amounts of electricity supply that do  
2           not meet the definition of green power supply, if the commission determines that  
3           including such electricity supply is necessary to ensure that a green power offer  
4           provider can meet its retail load obligation.

5           D. The commission shall, in accordance with section 3210, subsection 7, inform  
6           residential and small commercial consumers of electricity in this State of the  
7           opportunity to purchase the green power offer.

8           E. The commission is not required to arrange for a green power offer in the event that  
9           the commission receives no bids to provide the green power offer in a transmission and  
10          distribution utility's territory, determines that the bids it receives are inadequate or  
11          unacceptable or determines, based on prior experience arranging for a green power  
12          offer in a utility's territory, that it is reasonably likely that it will not receive any  
13          adequate or acceptable bids.

14          F. The commission is not required to arrange for a green power offer for the territory  
15          of a consumer-owned transmission and distribution utility. If the commission arranges  
16          standard-offer service for a consumer-owned transmission and distribution utility, the  
17          consumer-owned transmission and distribution utility may elect to have the  
18          commission arrange a green power offer in accordance with this subsection. A  
19          consumer-owned transmission and distribution utility may establish a green power  
20          offer through a competitive bidding process conducted in accordance with the  
21          commission's rules governing the selection of a green power offer provider under this  
22          subsection.

23          The commission shall adopt rules to implement this subsection. Rules adopted under this  
24          subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

25          **2. Certification; information in bill inserts.** Information regarding the availability  
26          of the green power offer and of green power supply products and renewable energy credit  
27          products that are certified by the commission may, at the option of the provider of the offer  
28          or the product and with the cooperation of the transmission and distribution utility, be  
29          presented through inserts in customer bills issued by transmission and distribution utilities.  
30          The costs of the inserts, including but not limited to printing and postage costs, are the  
31          responsibility of the provider of the offer or product. The commission may define the  
32          criteria for certification of green power supply products and renewable energy credit  
33          products by order or by rule, and the commission may limit the criteria for certification for  
34          consumer protection and eligibility verification purposes. Rules adopted to implement this  
35          subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

36          Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
37          number to read consecutively.

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**SUMMARY**

This amendment strikes the bill, including the emergency preamble and emergency clause, and enacts the green power provisions found in the Maine Revised Statutes, Title 35-A, section 3212-A in a new section of law, but without the repeal date.

**SPONSORED BY:** \_\_\_\_\_

**(Senator LAWRENCE, M.)**

**COUNTY: York**