

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

H.P. 250 - L.D. 399

An Act to Amend the Portfolio Requirements for Class II Resources and Require Money Collected from Alternative Compliance Payments to Be Used for Financial Assistance

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

Sec. 1. 35-A MRSA §3210, sub-§3, ¶A, as enacted by PL 2019, c. 477, §1, is amended to read:

A. For the purposes of meeting the portfolio requirement under this subsection, a 300% multiplier is applied to the output of a generator fueled by municipal solid waste in conjunction with recycling that has obtained a solid waste facility license from the Department of Environmental Protection.

This paragraph is repealed January 1, ~~2025~~ 2027.

Sec. 2. 35-A MRSA §3210, sub-§9, as amended by PL 2021, c. 199, §1, is further amended to read:

9. Alternative compliance payment. The commission shall allow competitive electricity providers to satisfy the portfolio requirements for Class I resources under subsection 3-A, Class IA resources under subsection 3-B ~~and~~, thermal renewable energy credits under subsection 3-C and Class II resources under subsection 3 through an alternative compliance payment mechanism in accordance with this subsection.

A. The commission shall set the alternative compliance payment ~~rate~~ rates by rule; ~~which may not be greater than \$50~~, and shall publish the alternative compliance payment ~~rate~~ rates by January 31st of each year. In setting the ~~rate~~ rates, the commission shall take into account prevailing market prices, standard-offer service prices for electricity, reliance on alternative compliance payments to meet the requirements of subsections 3, 3-A, 3-B and 3-C and investment in Class I ~~and~~, Class IA and Class II resources and thermal renewable energy credits in the State during the previous calendar year.

(1) The alternative compliance payment rate for the requirements under subsections 3-A, 3-B and 3-C may not be greater than \$50.

(2) The alternative compliance payment rate for the requirement under subsection 3 may not be greater than \$10.

B. The commission shall collect alternative compliance payments to meet the requirements of subsections 3, 3-A and 3-B made by competitive electricity providers and shall deposit use all funds collected under this paragraph ~~in the Energy Efficiency and Renewable Resource Fund established under section 10121, subsection 2 to be used to fund research, development and demonstration projects relating to renewable energy technologies and to fund rebates for cost-effective renewable energy technologies~~ to provide financial assistance for low-income households in accordance with section 3214, subsection 2.

C. The commission shall collect alternative compliance payments to meet the requirements of subsection 3-C made by competitive electricity providers and shall deposit all funds collected under this paragraph in the Thermal Energy Investment Fund established under section 10128, subsection 2 to be used to fund incentives and low-interest or no-interest loans to businesses, municipalities, educational institutions and nonprofit entities in the State for the installation of new thermal energy-derived projects.

The commission shall adopt rules to implement this subsection. ~~Rules adopted under this subsection to establish the alternative compliance payment rates governed by paragraph A, subparagraphs (1) and (2) routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.~~

Sec. 3. 35-A MRSA §3214, sub-§2, ¶A, as enacted by PL 1997, c. 316, §3, is amended to read:

A. Receive funds collected by all transmission and distribution utilities in the State at a rate set by the commission in periodic rate cases; ~~and~~

Sec. 4. 35-A MRSA §3214, sub-§2, ¶A-1 is enacted to read:

A-1. Receive funds collected by the commission for alternative compliance payments in accordance with section 3210, subsection 9, paragraph B; and

Sec. 5. 35-A MRSA §3214, sub-§2, as enacted by PL 1997, c. 316, §3, is amended by enacting at the end a new first blocked paragraph to read:

The commission may adopt rules to implement this subsection. Rules adopted under this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.