

October 14, 2020

PUBLIC UTILITIES COMMISSION
Net Energy Billing Evaluation

REQUEST FOR COMMENTS

On July 6, 2020, the Commission initiated an Inquiry to obtain information for an evaluation of Net Energy Billing (NEB) as required by statute. An Act To Promote Solar Energy Projects and Distributed Generation Resources in Maine, P. L. 2019, Chapter 478 (Act) made substantial changes to Maine's NEB program.

The Act provides:

The Public Utilities Commission shall evaluate net energy billing under the Maine Revised Statutes, Title 35-A, section 3209-A when the total amount of generation capacity involved in net energy billing in the State reaches 10% of the total maximum load of transmission and distribution utilities in the State or 3 years after the effective date of this Act, whichever comes first. The commission shall evaluate the effectiveness of net energy billing in achieving state policy goals and providing benefits to ratepayers and submit a report to the joint standing committee of the Legislature having jurisdiction over energy matters with its findings.

On May 20, 2020, Central Maine Power Company (CMP) provided notice that, at that time, the cumulative capacity of the generating facilities for which CMP has executed NEB arrangements under Chapter 313 is approximately 10.1% of CMP's annual peak demand.

The July 6, 2020, Notice of Inquiry directed CMP and Versant Power to provide specific information regarding NEB arrangements in their respective service territories on a monthly basis.

I. INTERESTED PERSON COMMENTS

At this point in the Inquiry, the Commission invites any interested person to submit information or comments that may be relevant to the NEB report to the Legislature. In particular, the Commission requests comments on the matter of how many projects that currently have a NEB Agreement or have a NEB Agreement in the future are likely to be developed and become operational.

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S. § 9061 requires the Public Utilities Commission to give each party at the conclusion of an adjudicatory proceeding written notice of the party's rights to seek review of or to appeal the Commission's decision. The methods of review or appeal of Commission decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 11(D) of the Commission's Rules of Practice and Procedure (65-407 C.M.R.ch. 110) within **20** days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought. Any petition not granted within **20** days from the date of filing is denied.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21** days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.