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REBUTTAL COMMENTS RECEIVED FOR PROPOSED RULE REVISIONS:

PROPOSED REVISION OF  
CHAPTER 2 AND CHAPTER 10 – SOLAR PHASE II

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The following pages compile written rebuttal comments about the Chapter 2 and 10 Solar Phase II rulemaking submitted between August 19, 2025 and September 2, 2025.

**Written comments** submitted between July 2, 2025 and August 18, 2025 are available for review on the LUPC's rulemaking webpage

([www.maine.gov/dacf/lupc/laws\\_rules/proposed\\_rules/rules.shtml](http://www.maine.gov/dacf/lupc/laws_rules/proposed_rules/rules.shtml))



Megan Lamb  
Maine Land Use Planning Commission  
22 State House Station  
Augusta, Maine 04333

September 2, 2025

Re: Rebuttal Comments, Proposed Rulemaking, Chapter 2 and 10: Solar and Battery Energy Storage Systems

Dear Ms. Lamb:

Thank you for the opportunity to submit rebuttal comments to public comments received by the Land Use Planning Commission (Commission) in response to its posted, proposed amendments to the Commission's Chapter 2 and Chapter 10 rules regarding solar and battery energy storage systems on behalf of the Maine Renewable Energy Association (MREA). MREA is a Maine-based non-profit association of renewable energy developers and producers, suppliers of goods and services to those developers and producers, and other supporters of the industry. Our member companies work in all facets of solar energy generation and battery energy storage, at all scales, across Maine.

MREA offers the following rebuttal comments:

- MREA agrees with comments submitted by Key Capture Energy and Maine Audubon that recommend battery energy storage system facilities as an allowed use requiring a permit in the Resource-Dependent Development Subdistrict (D-RD) and similarly presume that this was an oversight on the part of the Commission.
- MREA concurs with Maine Audubon's suggestion to define "Preferred Location", as well as their proposed definition.

Finally, MREA was pleased to see comments from Maine Audubon urging the Commission to strike the proposed requirement that permit applicants submit an interconnection agreement prior to permit approval, as well as the organization's comments urging modifications to the proposed amendments to Chapter 10.21,K,2,a,(4),(iii) for the purpose of increasing project location flexibility. Indeed, both changes are essential to supporting thoughtfully sited, low cost, reliable clean energy projects in the Commission's jurisdiction.

Thank you for your consideration of our rebuttal comments.

[www.renewablemaine.org](http://www.renewablemaine.org)

Sincerely,

A handwritten signature in cursive script that reads "Eliza Donoghue". The signature is fluid and elegant, with the first name "Eliza" and last name "Donoghue" clearly distinguishable.

Eliza Donoghue, Esq.  
Executive Director