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CELINA CUNNINGHAM
ACTING COMMISSIONER
DEPARTMENT OF ENERGY RESOURCES

Amy Dumeny, Administrative Director
Maine Public Utilities Commission
26 Katherine Drive
Hallowell, ME 04347

September 30, 2026

Re: Submission of the Department of Energy Resources' Program Design for Front-of-the-Meter Distributed Energy Resources Program

Dear Ms. Dumeny,

I write to provide a program update pursuant to 35-A M.R.S. § 3209-I and Public Law 2025, Chapter 430, section 14.

35-A M.R.S. §3209-I (2) requires that “The [Department] shall design a program or programs to encourage the development of front of the meter distributed energy resources in the State and submit the proposed program or programs to the commission,” and further requires that “If the commission finds that a program or programs proposed by the [Department] provide benefits to ratepayers in the State in excess of the costs to ratepayers, the commission shall by rule implement the program or programs.” P.L. 2025 ch. 430 §14 further establishes September 30, 2026, as the date for this filing, and sets out procedural and substantive requirements that the Department must consider. Finally, the same section establishes that “the commission shall approve or reject the proposed program or programs submitted by the [Department] pursuant to this section as expeditiously as possible, but no later than 120 calendar days after the commission receives the design from the [Department] unless otherwise requested by the [Department]. If the commission finds that the program provides benefits to ratepayers in the State in excess of the costs to ratepayers, the commission shall implement the program by rule.”

Since enactment of the authorizing statute one year ago, the Department has dedicated substantial resources towards completing this complex undertaking, including staff time as well as external contracted support, and has obtained public input through multiple virtual public meetings, consultation with stakeholders, and a written public comment period. While significant progress has been made to lay out the components of a program proposal, the Department has not yet reached a program proposal that it believes would meet the statutory standard for Commission approval and therefore does not submit any proposal at this time.

Importantly, the Department does not believe such a program is unachievable; to the contrary, the Department expects to provide a complete proposal to the Commission in the coming weeks. Additional time is necessary to incorporate stakeholder feedback, finalize ongoing analysis to ensure net ratepayer benefits, and complete a proposed program that meets statutory requirements.

Please contact me if any additional information regarding the program proposal or anticipated filing would be helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "Ethan Tremblay". The signature is stylized with a large, looped "E" and a long, sweeping underline.

Ethan Tremblay
Deputy Commissioner
Department of Energy Resources
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