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DATE: November 5, 2025
TO: Members of the Energy, Utilities and Technology Committee
FROM: Heather Sanborn, Public Advocate
SUBJECT: **Sponsor's proposed amendment to LD 1936**

As requested at the work session on October 30, we provide these comments in response to the sponsor's proposed amendment to LD 1936 "An Act to Provide Greater Equity in and Reduce Costs Related to the State's Net Energy Billing Program."

The amendment offered by Senator Grohoski would require Maine's kWh credit program community solar providers to do two things:

1. Register their facilities with the Maine PUC, and
2. Retire or acquire sufficient renewable energy credits (REC) to match the renewable portfolio standard (RPS) requirements matching the load of their subscribers that would have otherwise been served by either the standard offer provider or a CEP, and would have been subject to the RPS requirements.

The OPA strongly supported this proposal during various discussions over the course of the last legislative session. It was included in early drafts of LD 1777. However, the carefully negotiated provisions of the final version of LD 1777 notably did not include this provision.

It will be the OPA's position throughout this session that we will not support any further changes to NEB programs that are inconsistent with the carefully crafted set of compromises that are contained in the final version of LD 1777. We believe it is critical for us to be consistent in this position so that we can remain an honest broker for all of the parties that we worked together with in painstakingly developing LD 1777. There will be times when this position of the OPA will be to the detriment of solar developers and other times when it will swing in their favor. Such is the nature of the set of compromises we assembled last session.

I welcome your questions and will of course continue to provide information to assist the Committee in whatever way I can.