

Request for Proposals
for Administration of a Renewable Energy
Credit Purchase Program

Issued by the Maine Public Utilities Commission

April 22, 2020

1. Background

The Maine Public Utilities Commission (Commission) is seeking proposals from qualified bidders to develop and administer a program through which Maine electricity consumers that are participating in a “shared distributed generation project”, such as a community solar project, can purchase renewable energy credits (RECs) that are substantially equivalent to the RECs provided by their project.

During its 2019 session, the Maine Legislature enacted An Act To Promote Solar Energy and Distributed Generation Resources in Maine. P.L 2019, Chapter 478 (Act). Part B of the Act created a distributed generation (DG) procurement program that requires the Commission to solicit proposals for targeted amounts of energy, capacity, and RECs from developers of renewable DG facilities of less than 5 MW in capacity. The Act established two categories of eligible projects, one of which was for “shared” projects, which are defined as a project for which the value of the output is owned by, allocated to, or otherwise shared by subscribers.

In accordance with the Act, the output of these DG facilities must be conveyed to a “standard buyer”, which is likely to be the transmission and distribution (T&D) utility in whose service territory the facility is located.¹ The output to be conveyed includes energy, capacity and RECs. To allow subscribers to receive renewable attributes notwithstanding this requirement, the Act requires the Commission to establish a program to allow subscribers with a share of 25 kW or less to purchase RECs that are “substantially equivalent” to those conveyed to the standard buyer from the subscriber’s project. Finally, the Act requires that subscribers be allowed to purchase such RECs at 80% of market value.

Chapter 312 of the Commission’s rules governs these provisions of the Act, including the “REC Purchase Program” described above.

<https://www.maine.gov/mpuc/legislative/rules/part3-electric.shtml>

This RFP seeks proposals to develop and administer this REC Purchase Program for eligible customers of Central Maine Power (CMP) and Emera Maine.

Proposals in response to this RFP must be filed by June 9, 2020.

The bidder selected will enter into a contract with CMP or Emera Maine, or both. The term of the contract(s) will be five years. The contracts will be developed jointly by the bidder, the utilities, and the Commission Staff.

¹ The program will be available to customers of Central Maine Power Company and Emera Maine and will not be available to customers of Maine’s consumer-owned or municipal utilities.

2. RFP Process

The RFP and all related documents and information are available on the RFP Website at: <https://www.maine.gov/mpuc/electricity/rfps/recpurchase/2020>. All changes and supplements to the RFP and related materials will be posted to the RFP Website. Bidders are responsible to obtain these materials.

Proposals are due on or before June 9, 2020.

Instructions for submitting proposals will be posted to the RFP website at: <https://www.maine.gov/mpuc/electricity/rfps/recpurchase/2020>

The Commission Staff will review all proposals and may ask bidders for supplemental and/or clarifying information.

The Commission reserves the right to revise, suspend, or terminate the RFP at its sole discretion. In such event, the Commission will inform all bidders as soon as reasonably possible.

The RFP Contact Person is:

Faith Huntington

Director of Electricity and Natural Gas

Maine Public Utilities Commission

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207-287-1373

Bidders may submit questions or request additional information by contacting the RFP Contact Person. To the extent bidder inquiries elicit generally applicable information or corrections/clarifications to existing information, such information may be posted to the RFP Website. Bidder questions, information requests and the associated responses will not otherwise be made generally available.

The Commission will endeavor to respond to all questions and information requests, but it is under no obligation to do so.

3. Proposal Requirements

A. Design and Implementation Elements of the REC Purchase Program

The bidder's proposal should include a detailed description of how the REC Purchase Program would be designed and implemented, including but not limited to the following required program elements:

- The type or types of RECs that would be available for eligible customers to purchase such that the "substantially equivalent" requirement is met.
- How and when the price of the RECs offered would be determined and communicated to customers.
- What agreements, if any, would be required between the standard buyer and the entity administering the REC Purchase Program and the terms of that agreement.
- What agreements, if any, would be required between the customer and the entity administering the REC Purchase Program and the terms of that agreement.
- What information would be provided to eligible customers regarding the program, including the implications of buying, selling, and retiring RECs and the associated costs.
- How the bidder would propose to verify eligibility of customers to participate in the Purchase program.

Bidders may propose options for customers under the REC Purchase Program, including allowing customers to choose among various types of RECs and various dispositions of the RECs the customer purchases. If bidder's recommendation is not to provide options, the proposal should explain why not, as well as why the type of RECs that would be available, and the disposition of the RECs, are the most appropriate.

B. Costs

The bidder's proposal should include detail regarding the cost of providing the services requested by this RFP, including but not limited to (1) the bidder's administrative costs for the program design and implementation and (2) the costs associated with implementing the program, including, if applicable, any fixed contract costs. The proposal should include a detailed description of how costs would be defined and determined for each year of the contract term.

C. Bidder Qualification and Experience

Proposals should include information and supporting documents describing the bidder, including but not limited to its financial and technical capability to provide the required services. Proposals should also include the bidder's experience with similar

programs and, more generally, its experience in sourcing and marketing RECs in the New England region or in other markets.

Proposals should also identify any corporate affiliation with, or contractual relationship over the past three years between, bidder and CMP or Emera Maine, and any developer or other entity engaged in a business related to renewable DG.

4. General Provisions

Proposals are binding on the bidder and must be submitted in accordance with this RFP or as otherwise specified by the Commission. The Commission reserves the right to seek clarification and request additional information, documentation and other material related to the proposals. Failure to provide any such items within the timeframes requested may result in disqualification.

A bidder may designate information included in its proposal as proprietary or confidential information. The Commission will take every reasonable step, consistent with law, to protect information that is clearly identified as proprietary or confidential on the page on which it appears. Protected information may be made available to the T&D utilities under appropriate protective orders or non-disclosure agreements. The identity of winning bidder(s) and general information about proposal(s) selected will become public at the time of the Commission's decision.

The Commission may accept or reject any proposal, or it may reject all proposals, based on its assessment of whether a proposal meets the requirements of the RFP, satisfies the applicable statutory policies and objectives, is within the contracting authority of the Commission, and conforms with generally accepted business practices.

The Commission reserves the right to withdraw or modify the RFP at any time and to propose modifications to the bids.

The State of Maine, its officers, agents, and employees, including the Maine Public Utilities Commission, Commissioners and the employees or agents of the Maine Public Utilities Commission shall be held harmless from any and all claims, costs, expenses, injuries, liabilities, losses and damages of every kind and description resulting from or arising out of this RFP.

The information contained in the RFP and provided subsequently is prepared to assist bidders and does not purport to contain all of the information that may be relevant to bidders. The Commission makes no representation or warranty, expressed or implied, as to the accuracy or completeness of the information. The Commission, its staff and its agents shall not have any liability for any representations expressed or implied in, or any omissions from, the RFP or information obtained by bidders from the Commission, its staff, its agents or any other source.