

§3210-L. Renewable energy procurement; low-income and moderate-income consumer-owned projects

The commission shall direct investor-owned transmission and distribution utilities to enter into one or more contracts for energy from eligible projects in accordance with this section. [PL 2025, c. 766, §6 (NEW).]

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Distributed generation resource" has the same meaning as in section 3481, subsection 5. [PL 2025, c. 766, §6 (NEW).]

B. "Eligible project" means a distributed generation resource:

- (1) With a nameplate capacity of no more than 200 kilowatts;
- (2) That serves only low-income customers and moderate-income households;
- (3) That is wholly owned by its customer or customers or wholly owned by a cooperative corporation organized under Title 13, chapter 85;
- (4) That provides discounts or payments to its customers to offset its customers' electricity bills in a manner similar to customers receiving kilowatt-hour credits in accordance with section 3209-A as determined by the commission;
- (5) That is placed in service on or after August 1, 2026; and
- (6) That is connected to the electric grid of an investor-owned transmission and distribution utility in the State. [PL 2025, c. 766, §6 (NEW).]

C. "Low-income customer" means a customer of a transmission and distribution utility receiving benefits under the utility's program to assist low-income customers or a customer who has qualified at any time in the prior 12-month period to receive assistance through any state or federal program in which low income or limited assets are criteria for eligibility. [PL 2025, c. 766, §6 (NEW).]

D. "Moderate-income household" means a household in which gross income does not exceed 150% of the median income of the county or metropolitan statistical area in which the household is located. [PL 2025, c. 766, §6 (NEW).]

E. "Renewable energy credit" has the same meaning as in section 3210, subsection 2, paragraph B-2. [PL 2025, c. 766, §6 (NEW).]

[PL 2025, c. 766, §6 (NEW).]

2. Competitive solicitation; procurement. By September 1, 2026, the commission shall initiate a competitive solicitation in order to procure up to 4 megawatts of energy from one or more eligible projects. The commission shall select an eligible project or eligible projects for a contract or contracts under this section as expeditiously as possible, taking into account a bidder's ability to receive federal grants or tax credits in connection with the operation of an eligible project.

A. The commission shall determine the value of kilowatt-hour credits received by customers of a distributed generation resource in accordance with section 3209-A at the time of the competitive solicitation and require a bidder to state the bid price of the eligible project's energy as a percentage of that kilowatt-hour credit value over a proposed contract length not to exceed 20 years. [PL 2025, c. 766, §6 (NEW).]

B. Notwithstanding any provision of this Title to the contrary, the commission shall select an eligible project for a contract if:

- (1) At least one bid is received for an eligible project that meets the requirements of this subsection; and

(2) The bid price for the eligible project's energy is not greater than the credit value determined by the commission in accordance with paragraph A. [PL 2025, c. 766, §6 (NEW).]
[PL 2025, c. 766, §6 (NEW).]

3. Contract award; terms. A contract entered into pursuant to this section must:

A. Be for a term of no more than 20 years; [PL 2025, c. 766, §6 (NEW).]

B. Include provisions allowing for the commission to periodically increase the contract price to account for inflation, but only in an amount that the commission determines necessary to ensure eligible project viability while minimizing impacts to ratepayers; [PL 2025, c. 766, §6 (NEW).]

C. Include provisions ensuring that an eligible project meets the requirements of this section for the term of the contract; [PL 2025, c. 766, §6 (NEW).]

D. Provide for the sharing of customer usage data and allocation and billing information between the eligible project and the investor-owned transmission and distribution utility in whose service territory the eligible project is located; [PL 2025, c. 766, §6 (NEW).]

E. Prohibit the release of a customer's personal information by the eligible project owner or an entity acting on behalf of the owner or owners without the explicit affirmative consent of the customer other than for purposes of debt collection or credit reporting pursuant to state and federal law or to law enforcement agencies pursuant to lawful process; and [PL 2025, c. 766, §6 (NEW).]

F. Require the investor-owned transmission and distribution utility to sell all of the renewable energy credits generated by the eligible project. [PL 2025, c. 766, §6 (NEW).]

[PL 2025, c. 766, §6 (NEW).]

4. Cost recovery. The commission shall ensure that all costs and direct financial benefits associated with contracts entered into under this section are allocated to ratepayers in accordance with section 3210-F. A price differential existing at any time during the term of the contract between the contract price and the prevailing market price at which the energy generated by an eligible project is sold or any gains or losses derived from contracts for differences must be reflected in the amounts charged to ratepayers and may not be considered imprudent.

[PL 2025, c. 766, §6 (NEW).]

5. Rules. The commission may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2025, c. 766, §6 (NEW).]

SECTION HISTORY

PL 2025, c. 766, §6 (NEW).

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