

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRS §3205, sub-§2, ¶B,** as enacted by PL 1997, c. 316, §3, is
3 amended to read:

4 B. Within the service territory of the distribution utility with which it is affiliated,
5 except that:

6 (1) The affiliated competitive provider may not sell or contract to sell more than
7 33% of the total kilowatt hours sold within the service territory of the distribution
8 utility, as determined by the commission by rule; and

9 (2) In accordance with section 3212, the affiliated competitive provider may not
10 at any one time provide or bid to provide standard-offer service for more than
11 20% of electric load within the territory of the transmission and distribution
12 utility with which it is affiliated.

13 The marketing limitations in this paragraph do not apply to competitive electricity
14 service or standard-offer service in the service territory or any portion of the service
15 territory of a distribution utility that is located in an area administered by the
16 independent system administrator for northern Maine or any successor of the
17 independent system administrator for northern Maine unless the commission finds
18 that the level of competitive electricity service and standard-offer service competition
19 in the area administered by the independent system administrator for northern Maine
20 or any successor of the independent system administrator for northern Maine is
21 substantially similar to the level of competitive electricity service and standard-offer
22 service competition in the area of the State that is within the New England
23 independent system operator control area. All kilowatt hours sales and electric load
24 in any portion of a distribution utility's service territory that is located in an area
25 administered by the independent system administrator for northern Maine or any
26 successor of the independent system administrator for northern Maine must be
27 excluded from the calculation under this paragraph for those portions of the
28 distribution utility's service territory that is not located in an area administered by the
29 independent system administrator for northern Maine or any successor of the
30 independent system administrator for northern Maine.

31 **SUMMARY**

32 This bill provides that the limitations on how much electricity an affiliated
33 competitive provider may sell within the service territory of the distribution utility with
34 which it is affiliated do not apply to competitive electricity service or standard-offer
35 service in the service territory or any portion of the service territory of a distribution
36 utility that is located in an area administered by the independent system administrator for
37 northern Maine unless the Public Utilities Commission finds that the level of competitive
38 electricity service and standard-offer service competition in the area administered by the
39 independent system administrator for northern Maine is substantially similar to the level
40 of competitive electricity service and standard-offer service competition in the area of the
41 State that is within the New England independent system operator control area.