

**§3306. Transactions**

**1. Rate.** The small power producer or cogenerator and the transmission and distribution utility shall determine the rate paid by the transmission and distribution utility for the purchase of electricity as described in this section.

[PL 1999, c. 398, Pt. A, §80 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**2. Small power producer or cogenerator and public utility unable to agree.** In the event that the small power producer or cogenerator and the transmission and distribution utility are unable to agree to a contract for electricity, or to a price for the electricity purchased by the utility, or to an equitable apportionment of existing transmission and distribution line improvement costs, the commission shall require the utility to purchase the power at such rates and under such terms as the commission establishes by rule or order.

[PL 1999, c. 398, Pt. A, §80 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**3. Competing petitions filed by small power producers.** In the event competing petitions are filed by small power producers or cogenerators that are otherwise equivalent with respect to the standards set forth in former section 3307, and implementing rules adopted by the commission, the commission may give preference to any facility that is fueled primarily by municipal solid waste.

[PL 1999, c. 398, Pt. A, §80 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**4. Apportionment of transmission and distribution line improvement costs.** The commission shall base the equitable apportionment of existing transmission and distribution line improvement costs upon the benefits to the small power producer or cogenerator and the transmission and distribution utility.

[PL 1999, c. 398, Pt. A, §80 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**5. Commission decision on petition.** The commission shall issue a decision within 6 months from receipt of a petition signed by a small power producer, cogenerator or transmission and distribution utility for commission intercession.

[PL 1999, c. 398, Pt. A, §80 (AMD); PL 1999, c. 398, Pt. A, §§104, 105 (AFF).]

**6. Filing fee.** The petitioner or petitioners requesting commission intercession shall pay to the commission an amount equal to \$1,600 per megawatt of capacity of the facility in issue. The petitioner or petitioners may request the commission to waive all or part of the filing fee. The commission shall rule on the request for waiver within 30 days. Filing fees paid as required in this subsection must be segregated, apportioned and expended by the commission for the purposes of this section. Any portion of the filing fee that is received from any petitioner or petitioners and is not expended by the commission to process the request for intercession must be returned to the petitioner or petitioners.

[PL 2021, c. 318, §13 (AMD).]

**SECTION HISTORY**

PL 1987, c. 141, §A6 (NEW). PL 1987, c. 490, §A7 (AMD). PL 1999, c. 398, §A80 (AMD). PL 1999, c. 398, §§A104,105 (AFF). PL 2021, c. 318, §13 (AMD).

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