

Energy Infrastructure Corridors Statement

Maine [Public Law, Chapter 655 of 2010](#) addresses energy infrastructure corridors, which it generally defines as geographic areas within the state designated for siting energy infrastructure. Energy infrastructure includes electric transmission and distribution facilities, natural gas transmission lines, and other pipelines. Energy infrastructure does not include generation interconnection transmission facilities, energy generation facilities, or electric transmission and distribution facilities or energy transport pipelines that cross an energy infrastructure corridor.

The Act addresses two types of corridors, petitioned and statutory.

The Act enables the state Office of the Public Advocate, the Executive Department, Governor's Office of Energy Independence and Security, and developers to petition the state public utilities commission to designate a corridor. The commission designates petitioned corridors by rule. This means it must hold hearings and accept public comments and testimony about the proposed petitioned corridor. The Act also requires the commission to notify and consult with various state agencies, local governments, and Native American tribes which own land or assets within the proposed corridor when evaluating a petition to establish an energy infrastructure corridor.

The state public utilities commission can approve a new petition to establish a corridor if it determines that the future development of energy infrastructure within the petitioned corridor is reasonably likely to be in the public interest, encourages collocation of energy infrastructure, enhances the efficient use of existing energy infrastructure, has a limited impact on the landscape, and is consistent with state environmental and land use laws. The commission cannot approve a petition for a corridor on federally owned land, state park land, or certain tribal lands.

The Act creates three statutory energy infrastructure corridors. Two are along Interstate highways. The law creates an Interagency Review Panel to oversee the use of statutory corridors. It directs the panel, in consultation with a professional appraiser, to identify an initial range of value for the use of state-owned land or assets within a statutory corridor. It directs the panel to establish a process to solicit, evaluate, and approve proposals to build energy infrastructure within the statutory corridors. As part of the process the panel must provide public notice of the availability of the statutory corridors for energy infrastructure development, a description of the type of development anticipated in the statutory corridor and opportunity for potential developers to submit proposals for use of the statutory corridors.

The Act contains provisions requiring prospective builders of energy infrastructure in the corridors to get a corridor of use certificate from the state public utilities commission and a consolidated environmental permit from the state environmental department. It authorizes those agencies to determine the information required by a certificate and consolidated permit, respectively.

The law enables the state public utilities commission and the Interagency Review Panel to approve proposals to build energy infrastructure in the corridors if:

- The proposed projects materially enhance or do not harm transmission opportunities for energy generation within the state;
- It is reasonably likely the projects will reduce electric rates or other relevant energy prices or costs for businesses and residents in the states; or
- The owner or operator of the proposed energy infrastructure agrees to annually pay to the state an amount determined by the commission or panel to reduce rates, prices or costs over the life of the proposed energy infrastructure; and

- The projects are in the long term interest of the state as defined by several other criteria, including reducing greenhouse gases.

The Act contains provisions enabling the Interagency Review Panel to negotiate long-term occupancy agreements with project developers in statutory energy infrastructure corridors.

This law establishes an Energy Infrastructure Benefits Fund and sets requirements for depositing money into that fund. It requires some of the revenues in this fund be used to provide grants and loans to projects that promote energy efficiency and alternative energy resource initiatives. The bill also directs a percentage of that money be transferred to a Transportation Efficiency Fund also created by the Act. The law specifies that the state department of transportation must use money in that fund to increase the energy efficiency of the transportation system within the state. That includes rail, public transit, car and van pooling, zero-emission vehicles, biofuel, and other alternative vehicles.

Finally, the Act contains provisions governing the eminent domain authority of a transmission and distribution utility within an energy infrastructure corridor.

Submitted as:

Maine

[Public Law, Chapter 655 of 2010](#)

Status: Enacted into law in 2010.