

# Notice of Agency Rule-making Proposal

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AGENCY: Efficiency Maine Trust

CHAPTER NUMBER AND TITLE: 95-648, Ch. 110, Property Assessed Clean Energy Program

PROPOSED RULE NUMBER (*leave blank; assigned by Secretary of State*):

CONTACT PERSON FOR THIS FILING: Dana Fischer, Efficiency Maine Trust, 19 State House Station, Augusta, ME 04333-0019, (207) 650-8774, [dana.fischer@efficiencymaine.com](mailto:dana.fischer@efficiencymaine.com)

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different):

PUBLIC HEARING (if any): 9:00a.m., August 31, 2010, Room 211, Cross Office Building, Augusta, Maine

COMMENT DEADLINE: September 10, 2010

**BRIEF \*SUMMARY:**

The PACE Act provides a new mechanism for Maine energy consumers to finance energy savings improvements to their homes and businesses. For purposes of implementing the PACE Act, this rule establishes underwriting requirements, consumer disclosure requirements consistent with principles of truth in lending, terms and conditions under which municipalities and property owners may participate in a PACE program, and a quality assurance system for identifying and installing energy savings improvements.

**IMPACT ON MUNICIPALITIES OR COUNTIES (if any)**

A municipal government must adopt an ordinance establishing a PACE program before it or the Efficiency Maine Trust can enter an agreement with a property owner, whose property is located in that municipality, to finance energy savings improvements on the property. Municipalities may administer the PACE program, including entering PACE agreements and collecting assessments, or may contract with the Efficiency Maine Trust for that purpose.

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**STATUTORY AUTHORITY FOR THIS RULE:**

35-A MRSA §10154, §10155, §10159

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different):**

Public Law 2009, c.591, LD 1717, An Act To Increase the Affordability of Clean Energy for Homeowners and Businesses, known and cited as "the Property Assessed Clean Energy Act" or "the PACE Act."

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: [lucia.nixon@efficiencymaine.com](mailto:lucia.nixon@efficiencymaine.com)

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*\* Check one of the following two boxes.*

*The above summary is for use in both the newspaper and website notices.*

*The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.*

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**Please approve bottom portion of this form and assign appropriate AdvantageME number.**

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