

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2004-117

March 23, 2004

MAINE PUBLIC UTILITIES COMMISSION
Investigation into the Administration and
Structure of Commercial and Industrial and
Small Business Programs

ORDER APPROVING
CHANGES TO THE
ADMINISTRATION AND
STRUCTURE OF COMMERCIAL
AND INDUSTRIAL AND SMALL
BUSINESS PROGRAMS

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

I. SUMMARY

In this Order, we decide to consolidate the Efficiency Maine Commercial and Industrial Programs, the Small Business Program, the Agricultural Program, and the Existing Schools Program, along with the addition of a County and Local Government Program into one Efficiency Maine Business Program. As a result, we will issue one Request for Proposal (RFP) for the administration of the Efficiency Maine Business Program which will have a general Commercial and Industrial Offering, Small Business Offering, Agricultural Offering, Existing Schools Offering and a County and Local Government Offering as well as any other specific business offerings such as one for Pine Tree Zones, as we find appropriate.

II. BACKGROUND

Pursuant to the 35-A M.R.S.A. 3211-A, the Commission develops and implements electric conservation programs. The Commission implemented various interim programs during 2002-2003 under the name of Efficiency Maine. We approved the interim program plan and individual programs in Docket 2002-161.

On February 18, 2004, we issued Notice of Investigation into the Administration and Structure of Commercial and Industrial and Small Business Programs. The Notice described the proposed change to the implementation structure of the programs offered by Efficiency Maine to the business community. The current structure has separate programs and implementation contractors for each of the individual programs. The proposed structure would combine the various business programs offered by Efficiency Maine into one business program with multiple offerings. A single RFP would be issued for the implementation of the one business program. This structure would streamline the process for all persons involved in requesting information and incentives from Efficiency Maine Business Program. Also, the overall program would benefit by maximizing on the synergies between the various offerings.

Comments on the Notice of Investigation were received from only two interested parties, EnVINTA Corporation and LK Goldfarb and Associates ("LKG"). EnVINTA and

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.