

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

S.P. 805 - L.D. 1971

**Resolve, to Ensure that Eligible Customers Receive Payments from the
Energy Rate Relief Fund**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain deadlines need to be extended before the expiration of the 90-day period in order to ensure that eligible customers receive payments from the Energy Rate Relief Fund; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Resolve 2021, c. 168, §4, amended. Resolved: That Resolve 2021, c. 168, §4 is amended to read:

Sec. 4. Energy rate relief payments by covered utilities. Resolved: That, by October 30, ~~2022~~ 2023, each covered utility shall credit to the account of each eligible customer the amount of relief payment to which the eligible customer is entitled under section 5 unless the eligible customer is no longer a customer of the utility. By November 15, ~~2022~~ 2023, the covered utility shall report to the department the total amount of relief payments applied to eligible customer accounts and the total number of eligible customers who received an account credit in each relief payment tier specified in section 5, subsections 1 to 3. When a covered utility credits the relief payment to the customer's bill, the utility may deduct that amount from the separate account set aside for purposes of this section under section 3 and treat that amount as if it were a payment by the customer. Any funds that a covered utility does not credit to an eligible customer under this section by ~~June~~ December 1, 2023 must be returned to the Treasurer of State, who, by December 31, 2023, shall transfer the funds to the department.

Sec. 2. Resolve 2021, c. 168, §5, first ¶, amended. Resolved: That Resolve 2021, c. 168, §5, first ¶ is amended to read:

Sec. 5. Energy rate relief payment distribution. Resolved: That the department shall determine the amount of relief payments for covered utilities to credit to an eligible customer based on the number of kilowatt-hours billed by the covered utility to the customer on the February 2022 invoice or based on an alternative method as determined by the department in accordance with the following relief payment tiers:

Sec. 3. Resolve 2021, c. 168, §6, amended. Resolved: That Resolve 2021, c. 168, §6 is amended to read:

Sec. 6. Energy Rate Relief Fund. Resolved: That the Energy Rate Relief Fund is established for purposes of facilitating relief payments under this section. The fund consists of all resources transferred to the fund by the State Controller under section 3 and funds identified by the department to implement this section. The fund must be used to provide relief payments to covered utilities or consumer-owned transmission and distribution utilities under this section. The department may use the fund to provide energy rate relief to eligible customers of a consumer-owned transmission and distribution utility. Any amounts remaining in the fund on ~~June 30~~ December 15, 2023 must be transferred by the State Controller to the department.

Sec. 4. Resolve 2021, c. 168, §7, amended. Resolved: That Resolve 2021, c. 168, §7 is amended to read:

Sec. 7. Review. Resolved: That, by ~~June 30~~ December 15, 2023, the department shall undertake a review of each covered utility to ensure that the relief payment under section 3 has been credited to eligible customers or returned to the State in accordance with section 4. If the department determines that any of the requirements of this section have not been complied with, the department may issue appropriate orders to correct the noncompliance or provide a report to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters recommending legislation to address the matter.

Sec. 5. Retroactivity. Resolved: That this resolve applies retroactively to October 30, 2022.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.