



132nd MAINE LEGISLATURE

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Legislative Document

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S.P. 394

In Senate, March 11, 2025

**An Act to Clarify the Process to Transfer Funds Resulting from the
Expiration of Unused Kilowatt-hour Credits to Be Used to Provide
Assistance to Low-income Electricity Customers**

Submitted by the Public Utilities Commission pursuant to Joint Rule 204.

Received by the Secretary of the Senate on March 5, 2025. Referred to the Committee on Energy, Utilities and Technology pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator LAWRENCE of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 35-A MRSA §3209-A, sub-§8,** as amended by PL 2023, c. 230, §1, is
3 further amended to read:

4 **8. Unused kilowatt-hour credits; rules.** To the extent rules adopted under this
5 section provide for the periodic expiration of unused kilowatt-hour credits accumulated by
6 a customer participating in a net energy billing arrangement, the commission shall require
7 by rule that each transmission and distribution utility with a net energy billing arrangement
8 shall account for and, on or before ~~January~~ April 1st of each year, remit the value of all
9 unused kilowatt-hour credits that were accumulated and that expired during the prior
10 calendar year to the ~~commission~~ administrators of the statewide low-income assistance plan
11 and the individual low-income assistance programs as designated by the commission by
12 rules adopted pursuant to section 3214, subsection 2 for the benefit of individuals receiving
13 low-income assistance in accordance with ~~section 3214, subsection 2~~ those rules. The rules
14 adopted by the commission pursuant to this subsection must:

15 A. Establish the manner by which a transmission and distribution utility must account
16 for unused kilowatt-hour credits that were accumulated by all customers of the utility
17 with net energy billing arrangements during the prior calendar year and that expired
18 during the prior calendar year; ~~and~~

19 B. Establish the manner by which a transmission and distribution utility must remit
20 the value of the unused and expired kilowatt-hour credits; ~~and~~

21 C. Identify the manner by which the transmission and distribution utility must report
22 to the commission information regarding the number of unused kilowatt-hour credits
23 that were accumulated by all customers of the utility with net energy billing
24 arrangements during the prior calendar year and that expired during the prior calendar
25 year and the monetary value of those credits.

26 Notwithstanding any provision of this section to the contrary, rules adopted by the
27 commission pursuant to this subsection are routine technical rules as defined in Title 5,
28 chapter 375, subchapter 2-A.

29 **SUMMARY**

30 This bill changes the mechanism by which a transmission and distribution utility is
31 required to remit the value of unused kilowatt-hour credits that were accumulated and that
32 expired during the prior calendar year by requiring the utility to remit the value to the
33 administrators of the statewide low-income assistance plan and the individual low-income
34 assistance programs instead of the Public Utilities Commission. It also changes the date for
35 remittance from January 1st to April 1st and requires that the commission, by rule, adopt
36 provisions regarding the manner by which the transmission and distribution utility must
37 report to the commission information regarding the number of unused kilowatt-hour credits
38 that were accumulated by all customers of the utility with net energy billing arrangements
39 during the prior calendar year and that expired during the prior calendar year and the
40 monetary value of those credits.