



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1913

S.P. 674

In Senate, January 12, 2022

An Act To Review Strategies for Improving Utility Rate Affordability and To Provide Utility Relief

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on January 10, 2022. 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 VITELLI of Sagadahoc.
Cosponsored by Representative FAY of Raymond and
Senators: BAILEY of York, BRENNER of Cumberland, CURRY of Waldo, HICKMAN of
Kennebec, President JACKSON of Aroostook, RAFFERTY of York, Representative: PIERCE
of Falmouth.

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

2 **Sec. 1. 35-A MRSA §1702**, as amended by PL 2021, c. 318, §8, is further amended
3 by amending the section headnote to read:

4 **§1702. Duties Powers and duties**

5 **Sec. 2. 35-A MRSA §1702, first ¶**, as enacted by PL 1987, c. 141, Pt. A, §6, is
6 amended to read:

7 The powers, duties and responsibilities of the Public Advocate are to represent the
8 using and consuming public in matters within the jurisdiction of the commission, including,
9 but not limited, to, the following:

10 **Sec. 3. 35-A MRSA §1702, sub-§11** is enacted to read:

11 **11. Stakeholder group.** The Public Advocate may convene a stakeholder group to
12 develop and submit to the Legislature recommendations for legislation and policy changes
13 pertaining to the commission as provided by this subsection.

14 A. The stakeholder group consists of the following members:

15 (1) The Public Advocate or the Public Advocate's designee;

16 (2) The commission's designee;

17 (3) A representative of a renewable energy advocacy organization in the State;

18 (4) A representative of tribal interests in the State;

19 (5) A representative of an organization representing the interests of senior citizens
20 and the aging population of the State;

21 (6) A representative of an environmental advocacy organization operating in the
22 State;

23 (7) A representative of an equal justice advocacy organization operating in the
24 State;

25 (8) A representative of a nonpartisan research and policy organization dedicated
26 to improving the economic well-being of low-income and moderate-income
27 residents of the State; and

28 (9) A representative of a transmission and distribution utility.

29 B. If convened, the stakeholder group shall:

30 (1) Identify different methods to ensure that residents of the State are able to afford
31 electricity as the State seeks to meet the renewable resources goal under section
32 3210, subsection 1-A, paragraph B, including modernized or new rate designs or
33 structures, measures to lower costs by reduction of demand through energy
34 efficiency, weatherization and financial assistance programs and any other option
35 for mitigating rate increases and ensuring reliability and affordability; and

36 (2) Review the utility rates in effect when the stakeholder group convenes,
37 projected changes in utility rates and the policy goals and other factors contributing
38 to projected changes in utility rates.

1 C. If convened, the stakeholder group shall report the recommendations, including any
2 proposals for statutory or regulatory changes necessary to implement methods
3 identified under paragraph B, subparagraph (1), to the joint standing committee of the
4 Legislature having jurisdiction over utilities matters. After reviewing the report, the
5 committee may report out a bill to implement recommendations contained in the report
6 to the next regular session of the Legislature that convenes after the stakeholder group
7 submits the report.

8 **Sec. 4. 35-A MRSA §3214, sub-§2-B** is enacted to read:

9 **2-B. Utility relief program.** In addition to the programs administered under
10 subsection 2, the commission shall create an electric utility relief program.

11 A. The commission shall make the utility relief program available to persons:

12 (1) Receiving benefits under a state or federal low-income assistance program; or

13 (2) Whose family income is equal to or below 200% of the federal nonfarm income
14 official poverty line.

15 B. The utility relief program must provide waivers for late fees, arrearage assistance
16 and any other type of assistance the commission determines is appropriate.

17 **Sec. 5. 35-A MRSA §3214, sub-§7** is enacted to read:

18 **7. Education and outreach.** The commission, in cooperation with the Efficiency
19 Maine Trust established under section 10103, shall provide education and outreach on all
20 utility relief programs authorized by this section to the public and to transmission and
21 distribution utilities. A transmission and distribution utility shall include education and
22 outreach information about a program created as authorized by this section with a
23 communication or bill sent to a customer for a period of at least 4 consecutive months after
24 the program is created.

25 **Sec. 6. Stakeholder group.** Not later than September 1, 2022, the Public Advocate
26 shall convene a stakeholder group as authorized by the Maine Revised Statutes, Title 35-A,
27 section 1702, subsection 11. The stakeholder group shall submit a report with findings and
28 recommendations to the joint standing committee of the Legislature having jurisdiction
29 over utilities matters not later than December 1, 2022. The joint standing committee may
30 submit a bill to the First Regular Session of the 131st Legislature relating to the subject
31 matter of the report.

32 **Sec. 7. Electric utility relief program.** The Public Utilities Commission shall
33 create an electric utility relief program as required by the Maine Revised Statutes, Title
34 35-A, section 3214, subsection 2-B not later than November 1, 2022. The program must
35 provide retroactive benefits applicable to late fees, arrearages or other electric utility costs
36 incurred during the winter of 2021-2022, and benefits in future years, as determined by the
37 commission.

38 SUMMARY

39 This bill directs the Public Advocate to convene a stakeholder group to consider matters
40 related to electricity affordability and submit a report to the Legislature. The bill authorizes
41 the Public Advocate to convene the stakeholder group on those matters in the future. The
42 bill also directs the Public Utilities Commission to create an electric utility relief program

1 for low-income persons and directs the commission in cooperation with the Efficiency
2 Maine Trust to provide education and outreach on utility relief programs.