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Date: (Filing No. S-)

ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE

SENATE

131ST LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 226, L.D. 509, “An Act to Amend the Net Energy Billing Laws to Require Net Energy Billing Credits to be Nonlapsing”

Amend the bill by striking out the title and substituting the following:

'An Act to Amend the Net Energy Billing Laws to Direct Expiring Net Energy Billing Credits to Provide Low-income Assistance'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 35-A MRSA §3209-A, sub-§8, as enacted by PL 2021, c. 370, §1 and reallocated by RR 2021, c. 1, Pt. A, §37 and PL 2021, c. 659, §18 and c. 705, §13, is amended to read:

8. Unused kilowatt-hour credits; rules. To the extent rules adopted under this section provide for the periodic expiration of unused kilowatt-hour credits accumulated by a customer participating in a net energy billing arrangement, the commission shall require by rule that, ~~no earlier than April 1, 2022,~~ each transmission and distribution utility with a net energy billing arrangement ~~that has implemented or elected to implement an arrearage management program pursuant to section 3214, subsection 2-A~~ shall account for and, on or before January 1st of each year, apply remit the value of all unused kilowatt-hour credits that were accumulated and that expired during the prior calendar year to the commission for the benefit of participants in the utility's arrearage management program individuals receiving low-income assistance in accordance with section 3214, subsection 2. The rules adopted by the commission pursuant to this subsection must:

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

B. Establish the manner by which a transmission and distribution utility must apply ~~such unused kilowatt-hour credits for the benefit of participants in the utility's arrearage management program, which must be designed to result in each such~~

COMMITTEE AMENDMENT

1 ~~participant receiving as close to an equal amount of those credits except when the~~
2 ~~credited amount would exceed the amount of a participant’s arrearage~~ remit the value
3 of the unused and expired kilowatt-hour credits.

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

7 **Sec. 2. 35-A MRSA §3214, sub-§2**, as enacted by PL 1997, c. 316, §3, is amended
8 to read:

9 **2. Low-income assistance.** In order to continue existing levels of financial assistance
10 for low-income households and to meet future increases in need caused by economic
11 exigencies, the commission shall:

12 A. Receive funds collected by all transmission and distribution utilities in the State at
13 a rate set by the commission in periodic rate cases; ~~and~~

14 B. Set initial funding for programs based on an assessment of aggregate customer need
15 in periodic rate cases. The funding formula may not result in assistance being counted
16 as income or as a resource in other means-tested assistance programs for low-income
17 households. To the extent possible, assistance must be provided in a manner most
18 likely to prevent the loss of other federal assistance; and

19 C. Receive funds remitted by transmission and distribution utilities with net energy
20 billing arrangements for expired kilowatt-hour credits in accordance with section
21 3209-A, subsection 8.

22 **Sec. 3. Appropriations and allocations.** The following appropriations and
23 allocations are made.

24 **PUBLIC UTILITIES COMMISSION**

25 **PUC - Unused NEB Credits for Low-Income Assistance N452**

26 Initiative: Provides allocation to establish a new program to use net energy billing credits
27 for low-income assistance.

28 OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
29 All Other	\$500	\$500
30		
31 OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

32 ,
33 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
34 number to read consecutively.

35 **SUMMARY**

36 This amendment replaces the bill and changes the title. It directs the Public Utilities
37 Commission to require transmission and distribution utilities with net energy billing
38 arrangements to remit the value of unused and expired net energy billing credits to the
39 commission to be used for the benefit of individuals receiving low-income assistance. The
40 commission rules must establish the manner by which a transmission and distribution
41 utility must remit the value of the unused and expired kilowatt-hour credits. The

COMMITTEE AMENDMENT “ ” to S.P. 226, L.D. 509

1 amendment also adds receiving these funds to the commission's obligations to provide
2 low-income assistance.

3

FISCAL NOTE REQUIRED

4

(See attached)