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ENERGY, UTILITIES AND TECHNOLOGY

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 756, L.D. 1949, “An Act Regarding Energy Fairness”

Amend the bill by striking out all of Part A and inserting the following:

'PART A

Sec. A-1. 35-A MRSA §704, sub-§1, as amended by PL 1999, c. 398, Pt. A, §18 and affected by §§104 and 105, is further amended to read:

1. Residential customers. The commission shall adopt ~~and promulgate~~ reasonable rules after a hearing concerning the termination or disconnection of any residential customer's service by a transmission and distribution, gas, water or telephone utility of the State. These rules apply generally to all such utilities within the commission's jurisdiction ~~and must provide for adequate written notice by that utility to the residential customer that the customer's utility bill has not been paid, and a notice of the prospective termination or disconnection and the right, prior to disconnection, to enter into reasonable installment payment arrangements with that utility; to settle any dispute concerning the proposed disconnection at an informal hearing with that utility and to appeal the results of that utility's decision to the commission.~~ The rules must also provide that there may be no termination or disconnection during a limited medical emergency and for a just and reasonable procedure regarding reconnections of utility service and deposit requirements. ~~and:~~

A. Provide for adequate written notice by a public utility to a residential customer that the customer's utility bill has not been paid, a notice of the prospective termination or disconnection of utility service and the right of the customer, prior to termination or disconnection, to:

- (1) Enter into reasonable installment payment arrangements with that utility;
- (2) Settle any dispute concerning the proposed termination or disconnection at an informal hearing with that utility; and
- (3) Appeal the results of that utility's decision to the commission;

COMMITTEE AMENDMENT

1 B. Except as provided in paragraph C, prohibit a transmission or distribution utility
2 from terminating or disconnecting a residential customer's utility service for
3 nonpayment if the customer attests to the transmission and distribution utility that:

4 (1) The customer faces financial hardship, which must be defined in the rules to
5 mean that the customer is enrolled in a means-tested state or federal assistance
6 program, or attests to the utility that the customer's income is less than 60% of the
7 area median income;

8 (2) The customer has attempted to access any assistance program administered by
9 the State as specified by the commission; and

10 (3) The customer or a member of the customer's household has been certified by
11 a medical professional or governmental agency as having a medical condition or
12 disability that would be adversely impacted by a disconnection of electricity
13 service;

14 C. Establish a process by which a transmission and distribution utility may proceed
15 with a disconnection of a residential customer's service that would otherwise be
16 prohibited under paragraph B in exceptional circumstances after the transmission and
17 distribution utility has complied with all applicable requirements of this subsection and
18 related rules;

19 D. Require a transmission and distribution utility to issue monthly notices to customers
20 who have unpaid amounts for utility services during any period in which the
21 transmission and distribution utility is prohibited from disconnecting the customer's
22 utility service in accordance with paragraph B, including the amount owed and a
23 statement describing how the customer may apply for financial assistance; and

24 E. Prohibit a transmission and distribution utility from verifying that a customer
25 qualifies for the prohibition on disconnection under paragraph B more than once per
26 12-month period.

27 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,
28 chapter 375, subchapter 2-A.'

29 Amend the bill in Part B by inserting after section 1 the following:

30 '**Sec. B-2. 35-A MRSA §302, sub-§1-A, ¶D-1** is enacted to read:

31 D-1. "Investor relations" means an activity, communication, service or expense for the
32 purpose of promoting, supporting or managing a public utility's relationship with
33 current or potential investors, shareholders, securities analysts, investment advisors or
34 financial media or for the purpose of marketing to enhance the public utility's stock
35 price, market perception or investment appeal.'

36 Amend the bill in Part B in section 2 in subsection 2 in paragraph A-1 in the last line
37 (page 3, line 7 in L.D.) by inserting after the following: "fines" the following: 'This
38 paragraph does not apply to a consumer-owned water utility, a consumer-owned
39 transmission and distribution utility or the Casco Bay Island Transit District, created by
40 Private and Special Law 1981, chapter 22'

41 Amend the bill in Part B in section 2 in subsection 2 in paragraph B in the last line
42 (page 3, line 10 in L.D.) by inserting after the following: "utility" the following: 'or a
43 consumer-owned transmission and distribution utility'

1 Amend the bill in Part B in section 2 in subsection 2 in paragraph C in the first 5 lines
2 (page 3, lines 11 to 15 in L.D.) by striking out the following: ", including, but not limited
3 to, compensation for an employee of a public utility or an employee of an affiliated interest
4 if any portion of that compensation is used by the employee for lobbying or paid by that
5 employee to a federal, state or local government official in an effort to influence any official
6 decisions of or legislative decisions by the governmental official"

7 Amend the bill in Part B in section 2 in subsection 2 in paragraph E in the last line
8 (page 3, line 27 in L.D.) by inserting after the following: "directors" the following: '. This
9 paragraph does not apply to a consumer-owned water utility, a consumer-owned
10 transmission and distribution utility or the Casco Bay Island Transit District, created by
11 Private and Special Law 1981, chapter 22'

12 Amend the bill in Part B in section 2 in subsection 2 by striking out all of paragraph F
13 (page 3, lines 28 to 31 in L.D.) and inserting the following:

14 'F. Expenditures for investor relations. This paragraph does not apply to the
15 preparation or filing of documents or communications that are expressly and
16 exclusively required by applicable federal or state law or by order of a regulatory
17 authority, as long as the document or communication is prepared solely to satisfy that
18 legal or regulatory requirement. This paragraph does not apply to a consumer-owned
19 water utility, a consumer-owned transmission and distribution utility or the Casco Bay
20 Island Transit District, created by Private and Special Law 1981, chapter 22; and'

21 Amend the bill in Part B in section 2 in subsection 2 in paragraph G in the 4th line
22 (page 3, line 35 in L.D.) by inserting after the following: "same proceeding" the following:
23 'multiplied by the number of months in which the utility has such expenses up to 150% of
24 the spending by the Office of the Public Advocate in the same proceeding'

25 Amend the bill in Part C in section 1 in subsection 1-B in the 2nd line (page 4, line 17
26 in L.D.) by striking out the following: "public" and inserting the following: 'transmission
27 and distribution'

28 Amend the bill in Part C in section 1 in subsection 1-B in the 5th line (page 4, line 20
29 in L.D.) by striking out the following: "public" and inserting the following: 'transmission
30 and distribution'

31 Amend the bill in Part C in section 1 in subsection 1-B in the 6th line (page 4, line 21
32 in L.D.) by striking out the following: "public"

33 Amend the bill in Part C in section 1 in subsection 1-B in paragraph D in the first line
34 (page 4, line 30 in L.D.) by inserting after the following: "the" the following: 'transmission
35 and distribution'

36 Amend the bill in Part C in section 1 in subsection 1-B in the first blocked paragraph
37 in the last 2 lines (page 4, lines 35 and 36 in L.D.) by striking out the following: "and
38 environmental justice population status as defined in section 103-B, subsection 1,
39 paragraph B"

40 Amend the bill in in Part C in section 1 in subsection 1-B in the 2nd blocked paragraph
41 in the first line (page 4, line 37 in L.D.) by striking out the following: "public" and inserting
42 the following: 'transmission and distribution'

1 Amend the bill in Part C in section 1 in subsection 1-B in the 2nd blocked paragraph
2 in the 2nd line (page 4, line 38 in L.D.) by inserting after the following: "on the" the
3 following: 'transmission and distribution'

4 Amend the bill in Part C in section 2 in §301-A in subsection 1 in the 3rd line (page 5,
5 line 3 in L.D.) by striking out the first occurrence of the following: "public" and inserting
6 the following: 'transmission and distribution'

7 Amend the bill in Part C in section 2 in §301-A in subsection 1 in the 3rd line (page 5,
8 line 3 in L.D.) by striking out the 2nd occurrence of the following: "public" and inserting
9 the following: 'transmission and distribution'

10 Amend the bill in Part C in section 2 in §301-A in subsection 1 in paragraph A in the
11 first line (page 5, line 9 in L.D.) by striking out the following: "public" and inserting the
12 following: 'transmission and distribution'

13 Amend the bill in Part C in section 2 in §301-A in subsection 2 in the 2nd line (page 5,
14 line 15 in L.D.) by striking out the following: "conduct" and inserting the following:
15 'initiate'

16 Amend the bill in Part C in section 2 in §301-A in subsection 2 in the 3rd line (page 5,
17 line 16 in L.D.) by striking out the following: "public" and inserting the following:
18 'transmission and distribution'

19 Amend the bill in Part C in section 2 in §301-A in subsection 3 in the first line (page
20 5, line 20 in L.D.) by striking out the following: "public" and inserting the following:
21 'transmission and distribution'

22 Amend the bill in Part C in section 2 in §301-A in subsection 4 in the first line (page
23 5, line 24 in L.D.) by striking out the following: "public" and inserting the following:
24 'transmission and distribution'

25 Amend the bill in Part C in section 2 in §301-A in subsection 4 in the 3rd line (page 5,
26 line 26 in L.D.) by striking out the following: "public" and inserting the following:
27 'transmission and distribution'

28 Amend the bill in Part C by striking out all of sections 3, 4 and 5.

29 Amend the bill in Part C in section 6 in the 2nd line (page 6, line 16 in L.D.) by striking
30 out the following: "public" and inserting the following: 'transmission and distribution'

31 Amend the bill in Part C in section 7 in the 3rd line (page 6, line 21 in L.D.) by striking
32 out the following: "public" and inserting the following: 'transmission and distribution'

33 Amend the bill in Part C by inserting after section 7 the following:

34 '**Sec. C-8. Rules.** In adopting rules pursuant to the Maine Revised Statutes, Title
35 35-A, section 301, subsection 1-B, the Public Utilities Commission shall require a
36 transmission and distribution utility to include in its quarterly docket filing information
37 required to be filed by transmission and distribution utilities pursuant to Public Utilities
38 Commission rule Chapter 815 effective August 29, 2024.'

39 Amend the bill by striking out all of Part D and inserting the following:

40 **'PART D**

