

STATE OF MAINE

IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-THREE

S.P. 226 - L.D. 509

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

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

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

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

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

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

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

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

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

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC UTILITIES COMMISSION

PUC - Unused NEB Credits for Low-Income Assistance N452

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

OTHER SPECIAL REVENUE FUNDS	2023-24	2024-25
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500