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Date: (Filing No. S-)

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STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “A” to S.P. 723, L.D. 2010, “An Act To Help Maine Residents with High Electricity Costs”

Amend the amendment in section 1 by inserting after subsection 1 the following:

'2. "Consumer-owned transmission and distribution utility" has the same meaning as in the Maine Revised Statutes, Title 35-A, section 3201, subsection 6.'

Amend the amendment in section 1 by inserting after subsection 2 the following:

'3. "Department" means the Department of Economic and Community Development.'

Amend the amendment in section 1 by renumbering the subsections to read consecutively.

Amend the amendment by striking out all of sections 2, 3, 4, 5, 6, 7 and 8 and inserting the following:

Sec. 2. Identification of eligible customers. Resolved: That, by September 1, 2022, each covered utility shall identify which of its customers are eligible customers and report to the department the number of eligible customers in each relief payment tier specified in section 5, subsections 1 to 3 and the amount of the total payments the covered utility will be required to make to eligible customers in accordance with the department's determination under section 5.

Sec. 3. Energy rate relief payments. Resolved: That, by September 15, 2022, the commission shall verify the amounts reported by each covered utility under section 2 and certify the total amount for each covered utility to the department, the Treasurer of State and the State Controller. By September 30, 2022, the State Controller shall transfer the total amount certified by the commission from the funds designated by the department to the fund. Within 15 days after the State Controller has transferred the total amount to the fund, the Treasurer of State shall pay from the fund to each covered utility the amount attributable to that utility. The covered utility shall deposit funds received into a separate account to be used only for the purposes of this section and not for other purposes.

Sec. 4. Energy rate relief payments by covered utilities. Resolved: That, by October 30, 2022, each covered utility shall credit to the account of each eligible customer the amount of relief payment to which the eligible customer is entitled under section 5 unless the eligible customer is no longer a customer of the utility. By November 15, 2022,

SENATE AMENDMENT

1 the covered utility shall report to the department the total amount of relief payments applied
 2 to eligible customer accounts and the total number of eligible customers who received an
 3 account credit in each relief payment tier specified in section 5, subsections 1 to 3. When
 4 a covered utility credits the relief payment to the customer's bill, the utility may deduct that
 5 amount from the separate account set aside for purposes of this section under section 3 and
 6 treat that amount as if it were a payment by the customer. Any funds that a covered utility
 7 does not credit to an eligible customer under this section by June 1, 2023 must be returned
 8 to the Treasurer of State, who, by December 31, 2023, shall transfer the funds to the
 9 department.

10 **Sec. 5. Energy rate relief payment distribution. Resolved:** That the
 11 department shall determine the amount of relief payments for covered utilities to credit to
 12 an eligible customer based on the number of kilowatt-hours billed by the covered utility to
 13 the customer on the February 2022 invoice in accordance with the following relief payment
 14 tiers:

- 15 1. Tier 1 includes eligible customers that used at least 1,000 but no more than 49,999
 16 kilowatt-hours;
- 17 2. Tier 2 includes eligible customers that used at least 50,000 but no more than 100,000
 18 kilowatt-hours; and
- 19 3. Tier 3 includes eligible customers that used more than 100,000 kilowatt-hours.

20 **Sec. 6. Energy Rate Relief Fund. Resolved:** That the Energy Rate Relief Fund
 21 is established for purposes of facilitating relief payments under this section. The fund
 22 consists of all resources transferred to the fund by the State Controller under section 3 and
 23 funds identified by the department to implement this section. The fund must be used to
 24 provide relief payments to covered utilities or consumer-owned transmission and
 25 distribution utilities under this section. The department may use the fund to provide energy
 26 rate relief to eligible customers of a consumer-owned transmission and distribution utility.
 27 Any amounts remaining in the fund on June 30, 2023 must be transferred by the State
 28 Controller to the department.

29 **Sec. 7. Review. Resolved:** That, by June 30, 2023, the department shall undertake
 30 a review of each covered utility to ensure that the relief payment under section 3 has been
 31 credited to eligible customers or returned to the State in accordance with section 4. If the
 32 department determines that any of the requirements of this section have not been complied
 33 with, the department may issue appropriate orders to correct the noncompliance or provide
 34 a report to the joint standing committee of the Legislature having jurisdiction over energy,
 35 utilities and technology matters recommending legislation to address the matter.

36 **Sec. 8. Appropriations and allocations. Resolved:** That the following
 37 appropriations and allocations are made.

38 **ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**
 39 **Energy Rate Relief Fund N961**

40 Initiative: Provides a base allocation to authorize expenditure of funds received to provide
 41 relief payments to covered utilities.

42 OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
43 All Other	\$0	\$500

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OTHER SPECIAL REVENUE FUNDS TOTAL _____ \$0 _____ \$500

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment amends Committee Amendment "A" by requiring the Department of Economic and Community Development to administer the energy rate relief fund payments, instead of the Public Utilities Commission, using funds designated by the department. It authorizes the department to determine the amount of relief payments for covered utilities to credit to eligible customers according to tiers based on the number of kilowatt-hours used by eligible customers. It also authorizes the department to use funds for providing energy rate relief to consumer-owned transmission and distribution utilities and makes other technical changes.

SPONSORED BY: _____

(President JACKSON, T.)

COUNTY: Aroostook