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Date:

(Filing No. H- )

**ENERGY, UTILITIES AND TECHNOLOGY**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 222, L.D. 318, “An Act To Provide More Options to Maine Electric Service Customers and Support Maine's Climate Goals”

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

**'Resolve, To Direct the Office of the Public Advocate To Study Reforming Maine’s System of Retail Electricity Supply To Provide More Options to Maine Customers and Support Maine’s Climate Goals'**

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

**'Sec. 1. Public Advocate to conduct study on reform of retail electricity supply. Resolved:** That the Office of the Public Advocate shall conduct a study of options for reforming the State’s current system of retail electricity supply in ways that will provide greater competition among retail electricity supply providers and more options and protections for customers, including access to renewable and clean energy supply options. The office shall examine options relating to the State's standard offer system for facilitating the achievement of the State’s climate goals and beneficial electrification. In conducting the study, the Public Advocate shall consult with the Public Utilities Commission, the Governor's Energy Office and stakeholders, including but not limited to advocates for low-income persons, appropriate representatives of the federally recognized Indian tribes in this State, representatives of disadvantaged groups, representatives of small and large businesses and industries, advocates for the environment and renewable energy, representatives of retail electricity supply providers and representatives of transmission and distribution utilities. The Public Advocate may also consult with other agencies and organizations, including but not limited to the Office of the Attorney General and the Efficiency Maine Trust. For the purposes of this resolve, "beneficial electrification" means electrification of a technology that results in reduction in the use of a fossil fuel, including electrification of a technology that would otherwise require energy from a fossil fuel, and that provides a benefit to a utility, a ratepayer or the environment, without causing harm to utilities, ratepayers or the environment, by improving the efficiency of the electricity grid or reducing consumer costs or emissions, including carbon emissions.

**COMMITTEE AMENDMENT**

1           **Sec. 2. Authority to retain consultant with regard to study on reform of**  
2 **retail electricity supply. Resolved:** That, in conducting the study under section 1, the  
3 Public Advocate may retain one or more consultants, including, to the greatest extent  
4 possible, persons from academic or research institutions in the State for analysis and report  
5 preparation.

6           **Sec. 3. Issues to be reviewed as part of study on reform of retail electricity**  
7 **supply. Resolved:** That, in conducting the study under section 1, the Public Advocate  
8 shall ensure that, at a minimum, the following issues are examined.

9           1. The Public Advocate shall examine methods of protecting customer rights and  
10 interests including through the establishment of a public access website portal through  
11 which customers may obtain information on and shop for competitive electricity supply.  
12 The Public Advocate shall examine the feasibility of a publicly accessible website  
13 maintained by the Public Utilities Commission or by the Office of the Public Advocate that  
14 provides current, independent and objective information that allows customers to compare  
15 terms, conditions and prices and value-added service offers provided by competitive  
16 electricity providers, as well as any other information the Public Advocate or the  
17 commission determines would be useful to customers. The Public Advocate shall consider  
18 how to ensure customers may use the website to easily access external publicly accessible  
19 websites where customers may review offers and contract details and execute agreements  
20 electronically.

21           2. The Public Advocate shall examine the development and adoption of customer  
22 protections that include at least the following:

23           A. Conditions for, or prohibitions on, any fees for residential customers seeking to  
24 change a product or pricing plan;

25           B. Credits for excessive call center wait times;

26           C. Education programs to inform customers about customer choices and protections  
27 and public service announcements by state agencies encouraging customers actively to  
28 shop for electricity supply options before winter and summer seasons when prices may  
29 be higher;

30           D. Options for allowing retail electricity suppliers to bill for their electricity supply,  
31 value-added services and products along with the local distribution company’s  
32 regulated charges;

33           E. Publication, at least annually, of a competitive electricity provider report card that  
34 includes, but is not limited to, levels of verified complaints filed with the Public  
35 Utilities Commission against electricity providers; and

36           F. Programs to protect low-income customers that incorporate energy equity  
37 considerations, including but not limited to a hardship program that provides grants to  
38 qualifying low-income customers on an annual basis; a payment extension program  
39 that allows a qualifying low-income customer additional time to pay a bill without the  
40 threat of termination; a payment plan program that allows qualifying low-income  
41 customers to pay the balance owed in installments along with the regular monthly bill;  
42 a bill discount program that provides qualifying low-income customers with a fixed  
43 discount on their monthly bill; and other programs designed to increase access to  
44 renewable energy for such customers.

1           3. The Public Advocate shall examine issues related to climate change and beneficial  
2           electrification, including:

3           A. Analyzing how each studied electricity supply option would help achieve the state  
4           emissions level goals under the Maine Revised Statutes, Title 38, section 576-A and  
5           the climate action plan under Title 38, section 577 as well as beneficial electrification,  
6           including rapid implementation of time-of-use rates, on-bill financing and other  
7           methods to assist customers in reducing carbon emissions and achieving beneficial  
8           electrification;

9           B. Consideration of requirements for all competitive electricity providers to provide  
10          one or more clean energy options to customers, including at least one option that  
11          provides 100% of its electricity from renewable resources as defined in the Maine  
12          Revised Statutes, Title 35-A, section 3210, subsection 2, paragraph C and to advertise  
13          to customers renewable energy supply options in a manner that is as prominent as the  
14          manner that other options are advertised to customers; and

15          C. Consideration of whether default or other supply options could be used to assist in  
16          funding access to renewable energy or efficiency programs administered by the  
17          Efficiency Maine Trust.

18          4. The Public Advocate shall examine possible alternatives to the State’s standard offer  
19          service that reduce customer exposure to price volatility, provide product diversity  
20          including increased access to variously priced renewable energy and assist low-income and  
21          disadvantaged customer groups through product and pricing mechanisms.

22          5. The Public Advocate shall examine the alternatives to the State’s standard offer  
23          service identified by stakeholders consulted in accordance with section 1 and identify the  
24          likely advantages and disadvantages of each option with respect to the impact on customers  
25          in this State, with specific attention to low-income customers and principles of energy  
26          equity; the achievement of the State’s climate goals; and adoption of beneficial  
27          electrification. The study must focus on a comprehensive but limited number of options to  
28          achieve the goals of the study.

29          6. The Public Advocate shall examine ways to improve customer satisfaction and  
30          service quality when customers choose new retail electricity supply options during any  
31          transition to each supply system alternative identified in the study, including:

32          A. Potential amendments to laws or rules to replace the standard offer service with one  
33          or more identified supply options, such as one or more designated default service  
34          providers, as a transition to implementation of the supply system option;

35          B. Requirements for customer service improvements that could be accomplished  
36          during a transition to the supply system option, including improved customer service  
37          based on metrics relating to call wait time and billing accuracy that exceed the current  
38          standard offer service provider performance;

39          C. Requirements for standard offer service providers, default service providers or other  
40          competitive electricity providers to keep customers informed of the price for any  
41          transitional retail service and whether the provider is certified by the Public Utilities  
42          Commission to offer consolidated billing services under the supply system option; and

43          D. Any other transition period requirements or customer protections to ensure  
44          customers in the State are adequately protected during any transition.

1           **Sec. 4. Report to Legislature. Resolved:** That the Public Advocate shall complete  
2 the study under section 1 and submit a report along with any recommendations and  
3 suggested legislation to the joint standing committee of the Legislature having jurisdiction  
4 over electric utility matters by February 1, 2023. The Public Advocate shall provide an  
5 opportunity for public comment on the draft study and include a summary of public  
6 comments received in the final report. The report must include all alternatives that the study  
7 examined and the advantages and disadvantages of each alternative as well as any other  
8 issues that the Public Advocate and the stakeholders determine should be brought to the  
9 attention of the Legislature. The joint standing committee of the Legislature having  
10 jurisdiction over electric utility matters may report out a bill during the 131st Legislature  
11 in 2023 relating to the results of the study.

12           **Sec. 5. Appropriations and allocations. Resolved:** That the following  
13 appropriations and allocations are made.

14           **EXECUTIVE DEPARTMENT**

15           **Public Advocate 0410**

16 Initiative: Provides an allocation for the cost of contracted services.

17 <b>OTHER SPECIAL REVENUE FUNDS</b>	2021-22	2022-23
18           All Other	\$0	\$200,000
19		
20 <b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$200,000</b>

21 '   
22           Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
23 number to read consecutively.

24           **SUMMARY**

25           This amendment replaces the bill with a resolve directing the Public Advocate to  
26 conduct a study to identify possible alternatives to the State’s current system of retail  
27 electricity supply. The Public Advocate must consult with various identified stakeholders  
28 and is authorized to retain one or more consultants. At the conclusion of the study and after  
29 an opportunity for public comment on the draft study, the Public Advocate must submit a  
30 final report with any recommendations and suggested legislation to the joint standing  
31 committee of the Legislature having jurisdiction over electric utility matters during the  
32 131st Legislature in 2023.

33           **FISCAL NOTE REQUIRED**

34           **(See attached)**