

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

‘**Sec. 1. 35-A MRSA §3203, sub-§§4-B and 4-C** are enacted to read:

4-B. Residential consumer protections. As a condition of licensing, a competitive electricity provider that provides or proposes to provide generation service to a residential consumer:

A. Shall disclose, before entering into an agreement to provide service to a residential consumer, to the residential consumer where the residential consumer can obtain information with which to compare the service provided by the competitive electricity provider and the standard-offer service;

B. May not renew a contract for generation service without providing a residential consumer with notice of renewal in advance by mail;

C. May not renew a contract for generation service at a fixed rate that is 20% or more above the contract rate in the expiring contract without the express consent of the residential consumer;

D. May not renew a contract for generation service for a term that is longer than the term of the expiring contract or 12 months, whichever is shorter, without the express consent of the residential consumer; and

E. May not impose an early termination fee for any contract for generation service that was renewed without express consent from the residential consumer.

If a residential consumer does not provide the express consent required by paragraphs C and D, the residential consumer must be transferred to standard-offer service.

4-C. Residential consumer protection through transmission and distribution utility bill information. The monthly utility bill for a residential consumer that elects to receive generation service from a competitive electricity provider must contain the following:

A. A website address or other resource that residential consumers can access to obtain information that provides independent information as determined by the commission that allows residential consumers to compare terms, conditions and rates of electricity supply; and

B. A statement that directs the residential consumer to the competitive electricity provider for more information on the residential consumer's contract, including its terms, and that provides the telephone number of the competitive electricity provider.

Sec. 2. Report. The Public Utilities Commission in consultation with the Public Advocate shall conduct an analysis to determine the difference in price, if any, residential consumers paid for generation service by purchasing from a competitive electricity provider instead of receiving standard-offer service between 2014 and 2016. In evaluating any price difference, the Public Utilities Commission shall include,

where possible, if and how the product purchased by the residential consumer differed from standard-offer service. The Public Utilities Commission shall report the findings of the analysis to the Joint Standing Committee on Energy, Utilities and Technology by February 15, 2018. The report may include recommendations. The joint standing committee may report out a bill based on the report to the Second Regular Session of the 128th Legislature.’

SUMMARY

This amendment replaces the bill. This amendment:

1. Makes the following changes to consumer protections for residential consumers that choose generation service through a competitive electricity provider:

A. It requires the competitive electricity provider to disclose to the consumer where the consumer can obtain information to compare the service provided by the provider with standard-offer service;

B. It prohibits the competitive electricity provider from renewing a contract for generation service if it fails to provide that consumer with a notice of renewal in advance by mail;

C. It requires that, if a competitive electricity provider renews a contract for generation service at a fixed rate that is 20% or more above the contract rate in the expiring contract without express consent, the consumer must be transferred to standard-offer service;

D. It requires that, if a competitive electricity provider renews a contract for generation service for a term that is longer than the term of the expiring contract or 12 months, whichever is shorter, without express consent, the consumer must be transferred to standard-offer service; and

E. It prohibits a competitive electricity provider from imposing an early termination fee for a contract that was renewed without express consent;

2. Requires that the monthly utility bill for a residential consumer that elects to receive generation service from a competitive electricity provider contain the following:

A. A website address or other resource where a consumer can obtain information, as determined by the Public Utilities Commission, that provides independent information that allows residential consumers to compare terms, conditions and rates of electricity supply; and

B. A statement that directs the consumer to the competitive electricity provider for more information on the consumer's contract and that provides the telephone number of the competitive electricity provider; and

3. Requires the commission in consultation with the Public Advocate to determine the difference in price, if any, residential consumers paid for generation service by purchasing from a competitive electricity provider instead of receiving standard-offer service between 2014 and 2016; where possible, state if and how the product purchased by the consumer differed from the standard-offer service; and submit its findings to the Joint Standing Committee on Energy, Utilities and Technology by February 15, 2018.

FISCAL NOTE REQUIRED

(See attached)