



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 803

S.P. 248

In Senate, March 2, 2017

An Act To Improve Transparency in the Electricity Supply Market

Reference to the Committee on Energy, Utilities and Technology suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.
Cosponsored by Representative HIGGINS of Dover-Foxcroft.

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

2 **Sec. 1. 35-A MRSA §3203, sub-§4-A, ¶F**, as amended by PL 2003, c. 558, §4,
3 is further amended to read:

4 F. Must comply with all federal and state laws, federal regulations and state rules
5 regarding the prohibition or limitation of telemarketing; ~~and~~

6 **Sec. 2. 35-A MRSA §3203, sub-§4-A, ¶H**, as enacted by PL 1999, c. 657, §19,
7 is amended to read:

8 H. Must comply with any other applicable standards or requirements established by
9 the commission by rule;

10 **Sec. 3. 35-A MRSA §3203, sub-§4-A, ¶¶I to K** are enacted to read:

11 I. Before serving a consumer, shall disclose to the consumer if the rate of generation
12 service is higher than the standard-offer service rate;

13 J. Shall send a renewal notice to the consumer for generation service by certified
14 mail, return receipt requested; and

15 K. May not renew a contract for generation service without express consent from the
16 consumer.

17 **Sec. 4. 35-A MRSA §3203, sub-§4-B** is enacted to read:

18 **4-B. Consumer protection through transmission and distribution utility bill**
19 **disclosure.** The monthly utility bill for a consumer that elects to receive generation
20 service from a competitive electricity provider must contain the following information:

21 A. The rate for generation service charged by the competitive electricity provider
22 must be displayed along with the standard-offer service rate; and

23 B. The expiration date of the consumer's contract with a competitive electricity
24 provider for generation service.

25 **Sec. 5. Report.** The Public Utilities Commission in consultation with the Public
26 Advocate shall conduct an analysis to determine if consumers paid more for generation
27 service by purchasing directly from competitive electricity providers instead of through
28 standard-offer service and if so by how much. When conducting this analysis, the Public
29 Utilities Commission shall examine data from 2014 to the present. The Public Utilities
30 Commission shall report the findings of the analysis to the Joint Standing Committee on
31 Energy, Utilities and Technology by January 1, 2018. The report may include
32 recommendations. The joint standing committee may report out a bill based on the report
33 to the Second Regular Session of the 128th Legislature.

34 **SUMMARY**

35 This bill:

- 1 1. Makes the following changes to protect consumers that choose generation service
2 through a competitive electricity provider:
- 3 A. It requires the competitive electricity provider to disclose to the consumer if the
4 rate of generation service is higher than the standard-offer service rate;
- 5 B. It requires the competitive electricity provider to send a renewal notice to the
6 consumer for generation service by certified mail, return receipt requested; and
- 7 C. It prohibits the competitive electricity provider from renewing a contract for
8 generation service without express consent from the consumer;
- 9 2. Requires that the monthly utility bill for a consumer that elects to receive
10 generation service from a competitive electricity provider contain the following:
- 11 A. The rate for generation service charged by the competitive electricity provider
12 must be displayed along with the standard-offer service rate; and
- 13 B. The expiration date of the consumer's contract with the competitive electricity
14 provider for generation service; and
- 15 3. Requires the Public Utilities Commission, in consultation with the Public
16 Advocate, to determine if consumers paid more for generation service purchased from
17 competitive electricity providers instead of through standard-offer service and if so by
18 how much and to submit its findings to the Joint Standing Committee on Energy, Utilities
19 and Technology.