

MAINE STATE LEGISLATURE

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UTILITIES AND ENERGY

Reported by: Report C of The Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " B " to S.P. 149, L.D. 335, Bill, "An Act to Release the Public Utilities Commission from Mandatory Participation in Welfare Programs"

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

'An Act to Change the Funding for Certain Welfare Programs under the Jurisdiction of the Public Utilities Commission'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 35-A MRSA c. 31, sub-c. III-A is enacted to read:

SUBCHAPTER III-A

LOW-INCOME ASSISTANCE PROGRAMS

§3160. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Assistance effort. "Assistance effort" means the total expenses incurred by an electric utility in any year in implementing a low-income program including the total benefits disbursed to customers under the program and administrative costs.

R. & S.

2 2. Low-income program. "Low-income program" means any
3 program that the commission by rule or order, pursuant to section
4 3152, subsection 1, paragraph C or section 3153-A, subsection 1,
5 paragraph G or pursuant to any other provision of law, has
6 required an electric utility to implement and that is designed to
7 assist low-income customers in paying their electric bills.
8 "Low-income program" does not mean any rule or order regulating
9 winter disconnection of utility service.

10 3. Total benefits. "Total benefits" means the annual
11 aggregate of all benefits actually granted to an electric
12 utility's customers under a low-income program.

13 §3161. Cap on benefit levels

14 The commission may not require an electric utility to
15 implement a low-income program in which the total benefits
16 exceeds .5% of the utility's annual jurisdictional revenues, as
17 defined by the commission by rule or order, unless there are
18 sufficient funds available in the Electric Utility Low-income
19 Assistance Fund to reimburse the electric utility for the
20 utility's assistance effort.

21 §3162. Electric Utility Low-income Assistance Fund

22 1. Creation of fund. The Electric Utility Low-income
23 Assistance Fund, referred to in this section as the "fund," is
24 established as a nonlapsing fund to assist low-income utility
25 customers in paying their electric utility bills. The fund is
26 administered by the commission in accordance with this section.

27 2. Investment of fund. Money in the fund not needed to meet
28 current needs or obligations must be deposited with the Treasurer
29 of State to the credit of the fund and may be invested as
30 provided by law. Interest on these investments must be credited
31 to the fund.

32 3. Funding. The fund may receive money from any source,
33 including appropriations from the General Fund, grants, gifts,
34 bequests and donations. Funds appropriated and money received
35 for the benefit of the fund must be deposited in the fund.

36 4. Allocations from fund. Each year, to the extent there is
37 money in the fund, the commission shall allocate money from the
38 fund to reimburse electric utilities for each utility's
39 assistance effort. The commission shall divide money allocated
40 from the fund among electric utilities proportionately to the
41 assistance effort of each utility.

R. 018

§3163. Review; report; recommendations

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The commission shall report by January 1st of each year to the joint standing committee of the Legislature having jurisdiction over utility matters on the status of all low-income programs administered by electric utilities, the status of the Electric Utility Low-income Assistance Fund and the extent to which the assistance effort of electric utilities is being reimbursed through disbursements from the fund.

The commission may make any recommendations on changes to this law or on any other matter relating to low-income programs.

Sec. 2. Allocation. The following funds are allocated from the Electric Utility Low-income Assistance Fund to carry out the purposes of this Act.

1995-96 1996-97

PUBLIC UTILITIES COMMISSION

Electric Utility Low-income Assistance Fund

All Other \$1,000 \$1,000

Allocates funds to authorize reimbursement to electric utilities for their assistance efforts.'

Further amend the bill by inserting at the end before the statement of fact the following:

·FISCAL NOTE

1995-96 1996-97

APPROPRIATIONS/ALLOCATIONS

Other Funds \$1,000 \$1,000

The establishment of the Electric Utility Low-income Assistance Fund may increase dedicated revenue collected by the Public Utilities Commission. The amounts can not be determined at this time. This bill also authorizes the fund to accept funds appropriated from the General Fund and as a result may increase requests for General Fund appropriations to support the activities of the fund.

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COMMITTEE AMENDMENT "B" to S.P. 149, L.D. 335

2 This bill also includes allocations from the Electric
Utility Low-income Assistance Fund of \$1,000 annually beginning
4 in fiscal year 1995-96 to the Public Utilities Commission to
authorize reimbursements to electric utilities for their efforts
6 to assist low-income utility customers in paying their electric
utility bills. Actual reimbursements from the fund will depend
on the amounts of dedicated revenue received.

8
10 The Public Utilities Commission will incur some minor
additional costs to develop rules pertaining to utility revenues
and to report to the Legislature. These costs can be absorbed
12 within the commission's existing budgeted resources.'

14
STATEMENT OF FACT

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18 This amendment, which is one of 2 minority reports of the
Joint Standing Committee on Utilities and Energy, strikes and
replaces the bill. Under this amendment:

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22 1. Electric utilities are required to expend in benefits to
low-income customers under a low-income program an amount no
greater than .5% of the utility's annual revenues unless the
24 utility is fully reimbursed from the Electric Utility Low-income
Assistance Fund created under this amendment; and

26
28 2. The Electric Utility Low-income Assistance Fund is
created for the purpose of reimbursing electric utilities for
amounts expended by the utilities under low-income programs. To
30 the extent that funds are available, the commission must use the
funds to cover the low-income benefits disbursed by electric
32 utilities and the costs to the utilities of administering
low-income programs.

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36 This amendment also adds an allocation section to allow for
disbursements from the Electric Utility Low-income Assistance
Fund, should funds become available. The amendment also adds a
38 fiscal note.