

MAINE STATE LEGISLATURE

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Date: 4/26/2017

(Filing No. S- 49)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
SENATE
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 248, L.D. 803, Bill, "An Act To Improve Transparency in the Electricity Supply Market"

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

COMMITTEE AMENDMENT

1 receive generation service from a competitive electricity provider must contain the
2 following:

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

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

10 **Sec. 2. Report.** The Public Utilities Commission in consultation with the Public
11 Advocate shall conduct an analysis to determine the difference in price, if any, residential
12 consumers paid for generation service by purchasing from a competitive electricity
13 provider instead of receiving standard-offer service between 2014 and 2016. In
14 evaluating any price difference, the Public Utilities Commission shall include, where
15 possible, if and how the product purchased by the residential consumer differed from
16 standard-offer service. The Public Utilities Commission shall report the findings of the
17 analysis to the Joint Standing Committee on Energy, Utilities and Technology by
18 February 15, 2018. The report may include recommendations. The joint standing
19 committee may report out a bill based on the report to the Second Regular Session of the
20 128th Legislature.'

21 SUMMARY

22 This amendment replaces the bill. This amendment:

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

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

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

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

35 D. It requires that, if a competitive electricity provider renews a contract for
36 generation service for a term that is longer than the term of the expiring contract or
37 12 months, whichever is shorter, without express consent, the consumer must be
38 transferred to standard-offer service; and

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



128th MAINE LEGISLATURE

LD 803

LR 323(02)

An Act To Improve Transparency in the Electricity Supply Market

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

(S-49)

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Any additional costs to the Public Utilities Commission or the Office of the Public Advocate as a result of the additional reporting requirements regarding competitive electricity providers are anticipated to be minor and can be absorbed within existing budgeted resources.