

MAINE STATE LEGISLATURE

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L.D. 318

Date: 4-4-22

(Filing No. H-918)

MAJORITY

ENERGY, UTILITIES AND TECHNOLOGY

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

130TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" 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

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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.

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3. The Public Advocate shall examine issues related to climate change and beneficial 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.

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

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

EXECUTIVE DEPARTMENT

Public Advocate 0410

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

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$200,000

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

SUMMARY

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

FISCAL NOTE REQUIRED

(See attached)



130th MAINE LEGISLATURE

LD 318

LR 1486(02)

An Act To Provide More Options to Maine Electric Service Customers and Support Maine's Climate Goals

Fiscal Note for Bill as Amended by Committee Amendment

Committee: Energy, Utilities and Technology

Fiscal Note Required: Yes

A(H-918)

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$200,000	\$0	\$0

Fiscal Detail and Notes

This bill directs the Office of the Public Advocate (OPA) to conduct a study to identify possible alternatives to the State's current system of retail electricity supply. The bill includes a one-time allocation of \$200,000 in fiscal year 2022-23 to the OPA for the costs of contracted services related to the study.