

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative Document

No. 1971

S.P. 805

In Senate, May 18, 2023

**Resolve, to Ensure that Eligible Customers Receive Payments from
the Energy Rate Relief Fund**

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by President JACKSON of Aroostook.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** certain deadlines need to be extended before the expiration of the 90-day
4 period in order to ensure that eligible customers receive payments from the Energy Rate
5 Relief Fund; and

6 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
7 the meaning of the Constitution of Maine and require the following legislation as
8 immediately necessary for the preservation of the public peace, health and safety; now,
9 therefore, be it

10 **Sec. 1. Resolve 2021, c. 168, §4, amended. Resolved:** That Resolve 2021, c.
11 168, §4 is amended to read:

12 **Sec. 4. Energy rate relief payments by covered utilities. Resolved:** That, by
13 October 30, ~~2022~~ 2023, each covered utility shall credit to the account of each eligible
14 customer the amount of relief payment to which the eligible customer is entitled under
15 section 5 unless the eligible customer is no longer a customer of the utility. By November
16 15, ~~2022~~ 2023, the covered utility shall report to the department the total amount of relief
17 payments applied to eligible customer accounts and the total number of eligible customers
18 who received an account credit in each relief payment tier specified in section 5,
19 subsections 1 to 3. When a covered utility credits the relief payment to the customer's bill,
20 the utility may deduct that amount from the separate account set aside for purposes of this
21 section under section 3 and treat that amount as if it were a payment by the customer. Any
22 funds that a covered utility does not credit to an eligible customer under this section by
23 ~~June~~ December 1, 2023 must be returned to the Treasurer of State, who, by December 31,
24 2023, shall transfer the funds to the department.

25 **Sec. 2. Resolve 2021, c. 168, §5, first ¶, amended. Resolved:** That Resolve
26 2021, c. 168, §5, first ¶ is amended to read:

27 **Sec. 5. Energy rate relief payment distribution. Resolved:** That the department
28 shall determine the amount of relief payments for covered utilities to credit to an eligible
29 customer based on the number of kilowatt-hours billed by the covered utility to the
30 customer on the February 2022 invoice or based on an alternative method as determined
31 by the department in accordance with the following relief payment tiers:

32 **Sec. 3. Resolve 2021, c. 168, §6, amended. Resolved:** That Resolve 2021, c.
33 168, §6 is amended to read:

34 **Sec. 6. Energy Rate Relief Fund. Resolved:** That the Energy Rate Relief Fund is
35 established for purposes of facilitating relief payments under this section. The fund consists
36 of all resources transferred to the fund by the State Controller under section 3 and funds
37 identified by the department to implement this section. The fund must be used to provide
38 relief payments to covered utilities or consumer-owned transmission and distribution
39 utilities under this section. The department may use the fund to provide energy rate relief
40 to eligible customers of a consumer-owned transmission and distribution utility. Any
41 amounts remaining in the fund on ~~June 30~~ December 15, 2023 must be transferred by the
42 State Controller to the department.

