

MAINE STATE LEGISLATURE

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STATE OF MAINE
130TH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS



Disposition of bills and summaries of all laws enacted or finally passed

**JOINT STANDING COMMITTEE ON ENERGY,
UTILITIES AND TECHNOLOGY**

December 2021

STAFF:

DEIRDRE SCHNEIDER, LEGISLATIVE ANALYST
DANIEL TARTAKOFF, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

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JOINT STANDING COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

LD 143 An Act Regarding the Arrearage Management Program

ENACTED LAW SUMMARY

Public Law 2021, chapter 101 extends the repeal date for the arrearage management program from September 30, 2022 to September 30, 2024. It includes a requirement that if an investor-owned transmission and distribution utility produces any materials, either written or electronic, regarding the arrearage management program offered by the utility, those materials must state in plainly worded language and in a type size that is no less than 12 points that Maine law requires the utility to offer an arrearage management program to its customers and that certain costs associated with the program are not paid for by the utility and are recoverable in rates. It requires the Public Utilities Commission as part of its Docket No. 2021-00061 to consider proven, global best practices to assist low-income ratepayers, including, but not limited to, the use of lower tier rates for customers based on income. It requires the commission to provide to the Joint Standing Committee on Energy, Utilities and Technology any information or decisions made in relation to Docket No. 2021-00061 by January 15, 2022. Lastly, it allows the committee to report out a bill based on the information provided by the commission.

LD 251 An Act Regarding Public Utility Assessments, Fees and Penalties

ENACTED LAW SUMMARY

Public Law 2021 chapter 318 does the following.

1. It requires the Public Utilities Commission and the Public Advocate, respectively, in calculating assessments charged to public utilities to apportion the assessment within each category of public utility between investor-owned utilities and consumer-owned utilities based on an accounting of the portion of the commission's resources and the Public Advocate's resources, respectively, devoted to matters related to investor-owned utilities and the portion devoted to matters related to consumer-owned utilities. This provision has an effective date of August 1, 2022.
2. It requires the portion of the assessment applicable to investor-owned utilities and consumer-owned utilities within each category as determined by the Public Utilities Commission and the Public Advocate, respectively, to be allocated to each utility based on a three-year rolling average of revenue reported by the utility. This provision has an effective date of August 1, 2022.
3. It requires, by January 15, 2022, the Public Utilities Commission and the Public Advocate to submit to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters initial calculations related to the assessments described under items 1 and 2, above, and allows the committee to report out a bill based on the information to the Second Regular Session of the 130th Legislature.

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4. It requires the commission, in its annual report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters, to report on any filing fees or penalties collected from public utilities in the previous year that have not been adjusted in the previous five years and to provide information regarding the dollar value of those filing fees or penalties identified adjusted for inflation based on the Consumer Price Index for each fee and penalty since the last adjustment. It allows the joint standing committee of the Legislature having jurisdiction over utilities and energy matters to report out a bill to adjust those identified fees or penalties for inflation.
5. It requires the commission and the Public Advocate to report annually, beginning in 2022, on the portion of resources devoted to matters related to investor-owned utilities and the portion of resources devoted to matters related to consumer-owned utilities and on commission and Public Advocate expenses, respectively, per dollar of intrastate gross operating revenue for investor-owned utilities and consumer-owned utilities.
6. It amends the law governing filing fees for reorganizations of utilities to authorize the commission to order a filing fee of up to 5/100 of one percent of the transaction value as determined by the commission and to require the commission to order payment of a filing fee equal to 5/100 of one percent of the transaction value if a reorganization would result in the transfer of ownership and control of a public utility or the parent company of a public utility. Under current law the commission may charge a filing fee of up to \$50,000 to an applicant seeking approval for a reorganization.
7. It adjusts several filing fees and penalties for inflation.

LD 256 An Act To Adjust Sewer and Wastewater Lien Fees

ENACTED LAW SUMMARY

Public Law 2021, chapter 70 increases from \$13 to \$25 the flat fee paid by a delinquent sewer or wastewater ratepayer and provides that the \$25 fee be adjusted annually by the treasurer of the district for inflation based on the Consumer Price Index.

LD 314 An Act To Continue the Green Power Electricity Offer

ENACTED LAW SUMMARY

Public Law 2021, chapter 40 reestablishes the green power provisions, which require the Public Utilities Commission to arrange for a green power offer that is composed of green power supply. The original green power offer provisions were repealed on April 1, 2021. The new green power provisions do not include a repeal provision.