

House Bill 1487

By: Representatives Frye of the 118th, Evans of the 83rd, Drenner of the 85th, Schofield of the 60th, Lewis-Ward of the 109th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 46 of the Official Code of Georgia Annotated, relating to public utilities and
2 public transportation, so as to provide for the quality of services to low income customers to
3 be examined by the Public Service Commission when determining just and reasonable rates
4 and charges of utilities; to require utilities to make certain quarterly filings concerning their
5 residential customers; to provide for certain utilities to allocate a portion of their revenue
6 above the authorized target return to a Georgians First Fund, to be used to assist low and
7 fixed income customers; to provide for definitions; to provide for promulgation of rules and
8 regulations by the commission; to provide for related matters; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
13 transportation, is amended by revising Code Section 46-2-24, relating to consideration by
14 commission of quality of service in determining just and reasonable rates and charges, as
15 follows:

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16 "46-2-24.

17 (a) In determining what are just and reasonable rates and charges to be made by any
18 person, firm, or corporation (referred to in this Code section as a 'utility') subject to its
19 jurisdiction, the commission is authorized and is directed to consider the quality of the
20 service rendered by such utility, including, but not limited to:

21 (1) The cost of providing electric service;

22 (2) The utility's efforts to provide adequate assistance to residential customers with low
23 and fixed incomes through investments in energy efficiency and demand-side
24 management; and

25 (3) The utility's efforts to manage arrearages to minimize customer disconnections and
26 associated costs.

27 (b) To facilitate the commission's consideration of the quality of service being rendered,
28 any utility subject to the commission's jurisdiction shall make publicly available, quarterly
29 filings concerning its residential customers with the commission, including the following
30 information for each month:

31 (1) The total number of residential customers;

32 (2) The dollar amounts billed, in the aggregate, by ZIP Code and by income level;

33 (3) The number of customers participating in the utility's existing, administered bill
34 assistance programs;

35 (4) The number of low income customers participating in the utility's income qualified
36 energy efficiency and demand-side management programs, including data on savings,
37 based on kilowatt-hour and electric bills;

38 (5) The number of customers requesting a deferred payment agreement, in the aggregate,
39 by ZIP Code and by income level;

40 (6) The total number of accounts past due by vintage (60-90 days past due, 90-120 days
41 past due, or more than 120 days past due), in the aggregate and by ZIP Code;

- 42 (7) The total dollar value of accounts past due by vintage (60-90 days past due, 90-120
43 days past due, or more than 120 days past due), in the aggregate and by ZIP Code;
44 (8) The number of customers charged a late payment fee, in the aggregate and by ZIP
45 Code;
46 (9) The dollar value of late payment fees charged, in the aggregate and by ZIP Code;
47 (10) The number of disconnection notices issued, in the aggregate and by ZIP Code;
48 (11) The number of new deferred payment agreements entered into, in the aggregate and
49 by ZIP Code;
50 (12) The average duration of new payment agreements;
51 (13) The number of deferred payment agreements successfully completed;
52 (14) The number of failed, deferred payment agreements;
53 (15) The number of disconnections for nonpayment, in the aggregate and by ZIP Code;
54 (16) The number of service reconnections after disconnection for nonpayment, in the
55 aggregate and by ZIP Code;
56 (17) The number of accounts written off as uncollectible, in the aggregate and by ZIP
57 Code; and
58 (18) The dollar value of accounts written off as uncollectible, in the aggregate and by
59 ZIP Code."

60 **SECTION 2.**

61 Said title is further amended by adding a new chapter to read as follows:

62 "CHAPTER 3B

63 46-3B-1.

64 (a) 'High energy burden ZIP Code' means a ZIP Code where consumers pay, on average,
65 more than 6 percent of their income toward electricity bills.

66 (b) 'Utility' means any electric supplier whose rates are fixed by the commission.

67 46-3B-2.

68 (a) A Georgians First Fund shall be created by each utility from excess utility revenues to
69 support affordability, conservation, and access to essential electric service for low income
70 rate payers.

71 (b) A utility shall make annual contributions to its Georgians First Fund as follows:

72 (1) In any year that the utility earns above the target return on equity but within an
73 authorized earnings band set by the commission in the utility's most recent rate case, the
74 utility shall allocate 5 percent of its above-target revenue to the fund; and

75 (2) In any year that the utility earns above the top end of the authorized earnings band
76 set by the commission in the utility's most recent rate case, the utility shall allocate 5
77 percent of the above-target revenue, up to the top of the band, and 10 percent of the
78 above-band revenue to the Georgians First Fund.

79 (c)(1) All contributions allocated to a Georgians First Fund shall be used to fund one or
80 more programs offered by a utility to accomplish long-term reductions in electric bills for
81 its participating low income customers. Such programs may include the following
82 components:

83 (A) Bill assistance;

84 (B) Energy efficiency;

85 (C) Weatherization, which may include any safety-related upgrades needed to
86 accomplish weatherization;

87 (D) Demand-side management;

88 (E) Customer-sited solar, which may include solar systems sited at multifamily housing
89 units that create bill savings for tenants; and

90 (F) Community solar.

91 (2) Priority shall be given to programs that focus on reducing electric bills of customers
92 living in high energy burden ZIP Codes. Programs shall be proposed by the utility on an
93 annual basis, and may be approved or amended by the commission after input from
94 stakeholders and members of the public.

95 (d) No more than 5 percent of total allocated funds in any Georgian First Fund shall go
96 toward the cost of implementing and administering programs.

97 (e) No more than 70 percent of the annual contributions to its Georgians First Fund may
98 be distributed by a utility in any given year.

99 (f) The commission shall adopt rules and regulations governing the Georgians First Funds
100 to facilitate the implementation of this Code section by December 31, 2022.

101 (g) Nothing in this Code section shall alter the utility's obligations under Code
102 Section 46-3A-2."

103

SECTION 3.

104 All laws and parts of laws in conflict with this Act are repealed.