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Date: (Filing No. S-)

ENERGY, UTILITIES AND TECHNOLOGY

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**STATE OF MAINE
SENATE
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to S.P. 918, L.D. 2163, “An Act to Require Electricity Providers to Inform Customers of Alternative Electric Rates and Gather Consent Prior to Contract Renewal”

Amend the bill by striking out the title and substituting the following:

'An Act to Require Consumer Consent for Certain Generation Service Contract Renewals'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 35-A MRSA §3203, sub-§4-B, as amended by PL 2023, c. 375, §1, is further amended 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; if the renewal rate is a fixed rate that is:

- (1) Twenty percent or more above the contract rate in the expiring contract; or
- (2) Greater than the fixed rate that would, at the time of the residential consumer's contract renewal, be offered by the competitive electricity provider to customers

COMMITTEE AMENDMENT

1 enrolling with the provider for an initial contract of a similar term and product
2 offering;

3 C-1. May not renew a contract for generation service at a variable rate without the
4 express consent of the residential consumer if the expiring contract provided generation
5 service at a fixed rate;

6 D. May not renew a contract for generation service for a term that ~~is longer than~~ differs
7 from the term of the expiring contract ~~or 12 months, whichever is shorter,~~ without the
8 express consent of the residential consumer; and

9 E. May not enter into or renew a contract for generation service that includes an early
10 termination fee.

11 If a residential consumer does not provide the express consent required by paragraphs C,
12 C-1 and D, the residential consumer must be transferred to standard-offer service.'

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

15 **SUMMARY**

16 This amendment, which is the majority report of the committee, replaces the bill and
17 changes the title. It does the following.

18 1. It provides that a competitive electricity provider may not renew a contract for
19 generation service without the express consent of the residential consumer if the renewal
20 rate is a fixed rate that is 20% or more above the contract rate in the expiring contract or
21 greater than the fixed rate that would, at the time of the consumer's renewal, be offered by
22 the competitive electricity provider to customers enrolling with the provider for an initial
23 contract of a similar term and product offering.

24 2. It prohibits a competitive electricity provider from renewing a contract for
25 generation service at a variable rate without the express consent of the residential consumer
26 if the expiring contract provided generation service at a fixed rate.

27 3. It prohibits a competitive electricity provider from renewing a contract for
28 generation service for a term that differs from the term of the expiring contract without the
29 express consent of the residential consumer.

30 **FISCAL NOTE REQUIRED**

31 **(See attached)**