

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-TWO

—
S.P. 723 - L.D. 2010

Resolve, To Help Certain Businesses with Electricity Costs

Sec. 1. Definitions. Resolved: That, as used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

1. "Commission" means the Public Utilities Commission.
2. "Consumer-owned transmission and distribution utility" has the same meaning as in the Maine Revised Statutes, Title 35-A, section 3201, subsection 6.
3. "Covered utility" means an investor-owned transmission and distribution utility as defined in the Maine Revised Statutes, Title 35-A, section 3104, subsection 1.
4. "Department" means the Department of Economic and Community Development.
5. "Eligible customer" means an entity that during February of 2022 was a medium commercial customer of a covered utility taking standard-offer service.
6. "Fund" means the Energy Rate Relief Fund established in section 6.
7. "Medium commercial customer" means a nonresidential customer of a covered utility that takes service under a core customer class electric delivery rate schedule of the covered utility:
 - A. That includes a demand charge; and
 - B. In which the customer's maximum demand may not exceed 500 kilowatts or the kilowatt break-point stated in the covered utility's applicable electric delivery rate schedule that is closest to, but does not exceed, 500 kilowatts.
8. "Standard-offer service" means the service provided according to the Maine Revised Statutes, Title 35-A, section 3212.

Sec. 2. Identification of eligible customers. Resolved: That, by September 1, 2022, each covered utility shall identify which of its customers are eligible customers and report to the department the number of eligible customers in each relief payment tier specified in section 5, subsections 1 to 3 and the amount of the total payments the covered utility will be required to make to eligible customers in accordance with the department's determination under section 5.

Sec. 3. Energy rate relief payments. Resolved: That, by September 15, 2022, the commission shall verify the amounts reported by each covered utility under section 2 and certify the total amount for each covered utility to the department, the Treasurer of State and the State Controller. By September 30, 2022, the State Controller shall transfer the total amount certified by the commission from the funds designated by the department to the fund. Within 15 days after the State Controller has transferred the total amount to the fund, the Treasurer of State shall pay from the fund to each covered utility the amount attributable to that utility. The covered utility shall deposit funds received into a separate account to be used only for the purposes of this section and not for other purposes.

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

Sec. 5. Energy rate relief payment distribution. Resolved: That the department shall determine the amount of relief payments for covered utilities to credit to an eligible customer based on the number of kilowatt-hours billed by the covered utility to the customer on the February 2022 invoice in accordance with the following relief payment tiers:

1. Tier 1 includes eligible customers that used at least 1,000 but no more than 49,999 kilowatt-hours;
2. Tier 2 includes eligible customers that used at least 50,000 but no more than 100,000 kilowatt-hours; and
3. Tier 3 includes eligible customers that used more than 100,000 kilowatt-hours.

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

Sec. 7. Review. Resolved: That, by June 30, 2023, the department shall undertake a review of each covered utility to ensure that the relief payment under section 3 has been credited to eligible customers or returned to the State in accordance with section 4. If the

department determines that any of the requirements of this section have not been complied with, the department may issue appropriate orders to correct the noncompliance or provide a report to the joint standing committee of the Legislature having jurisdiction over energy, utilities and technology matters recommending legislation to address the matter.

Sec. 8. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF
Energy Rate Relief Fund N961**

Initiative: Provides a base allocation to authorize expenditure of funds received to provide relief payments to covered utilities.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$0	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$500</u>