1	S.257
2	Introduced by Senator Sears
3	Referred to Committee on
4	Date:
5	Subject: Utilities; electric; natural gas; energy assistance programs; ratepayer
6	funding; tax deductions
7	Statement of purpose of bill as introduced: This bill proposes to prohibit the
8	Public Service Board from establishing a low-income energy assistance
9	program funded by ineligible ratepayers on a mandatory basis. Rather, it
10	makes ratepayer funding of such a program voluntary and tax deductible.
11	An act relating to energy assistance program fees
12	It is hereby enacted by the General Assembly of the State of Vermont:
13	* * * Electric Energy Assistance Program * * *
14	Sec. 1. 30 V.S.A. § 218(e) is amended to read:
15	(e) Notwithstanding any other provisions of this section, the Board, on its
16	own motion or upon petition of any person, may issue an order approving a
17	rate schedule, tariff, agreement, contract, or settlement that provides reduced
18	rates for low income low-income electric utility consumers better to assure

affordability. For the purposes of As used in this subsection, "low income

<u>low-income</u> electric utility consumer" means a customer who has a household

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income at or below 150 percent of the current federal poverty level. When		
considering whether to approve a rate schedule, tariff, agreement, contract, or		
settlement for low income low-income electric utility consumers, the Board		
shall take into account the potential impact on, and cost-shifting to, other		
utility customers. The Board's order shall ensure that ineligible utility		
customers are not required to fund any program authorized under this		
subsection. Such funding shall be voluntary only.		
* * * Natural Gas Energy Assistance Program * * *		
Sec. 2. 33 V.S.A. § 2607(g) is amended to read:		
(g)(1) The Public Service Board shall require natural gas suppliers subject		
to regulation under 30 V.S.A § 203 to provide a discount program to customers		
with incomes no greater than 200 percent of the federal poverty level or who		
meet the Department for Children and Families' means test of eligibility for		
LIHEAP crisis fuel assistance. Eligibility for the discount shall be verified by		
the Department for Children and Families.		
(2) In implementing the discount program, the Board shall consider:		
(A) Low income low-income discount programs, rates, and cost		
structures of other Vermont regulated utilities-;		
(B) Low income low-income discount programs, rates, and cost		
structures for gas customers in other states-;		

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1	(C) Options options for allocating the costs of the discount program
2	that avoid or reduce the cost impact of the program on ineligible ratepayers,
3	including consideration of each of the following:
4	(i) Use use of any revenues collected from ratepayers that are in
5	excess of the revenue requirement most recently determined by the Board-;
6	(ii) Use use of revenues collected from ratepayers to fund system
7	expansions that have not been placed in service.
8	(3) The Board shall not require ineligible ratepayers to fund the discount
9	program authorized under this subsection. Such funding shall be voluntary
10	only.
11	(4) On or before January 15, 2013, the Board shall:
12	(A) implement this subsection by order to each natural gas company
13	subject to its jurisdiction; and
14	(B) report to the House Committees on Commerce and Economic
15	Development and on Human Services, and to the Senate Committees on Health
16	and Welfare and on Economic Development, Housing and General Affairs on
17	its implementation of this subsection, including its consideration of the matters
18	described in subdivision (2) of this subsection and the results of that
19	consideration.

1	* * * Tax Deductible Program Fees * * *
2	Sec. 3. 32 V.S.A. § 5823 is amended to read:
3	§ 5823. VERMONT INCOME OF INDIVIDUALS, ESTATES, AND
4	TRUSTS
5	(a) For any taxable year, the Vermont income of a resident individual is the
6	adjusted gross income of the individual for that taxable year, and the Vermont
7	income of a resident estate or trust is its gross income for the taxable year, less:
8	* * *
9	(9) The amount paid by the individual to an energy assistance program
10	authorized under 30 V.S.A. § 218(e) (electric) or 33 V.S.A. § 2607(g)
11	(natural gas).
12	(b) For any taxable year, the Vermont income of a nonresident individual,
13	estate, or trust is the sum of the following items of income to the extent they
14	are required to be included in the adjusted gross income of the individual or the
15	gross income of an estate or trust for that taxable year:
16	* * *
17	(7) The amount paid by the individual to an energy assistance program
18	authorized under 30 V.S.A. § 218(e) (electric) or 33 V.S.A. § 2607(g) (natural
19	gas).
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1	* * * Effective Date * * *
2	Sec. 4. EFFECTIVE DATE
3	This act shall take effect on passage, and Sec. 3 (tax deductions) shall apply
1	to tay years beginning on and after January 1, 2014