



DECEMBER 2023 HIGHLIGHTS

Two recent developments in Maine’s electricity universe are worth noting this month because of the effect they will have on all ratepayers.

The announcement last week that Standard Offer (SO) prices will be dropping approximately 30% on January 1st is welcome news for Maine consumers. This will result in a meaningful reduction in the overall cost of electricity for CMP and Versant residential ratepayers. For the past three years they have seen the overall price of electricity (what consumers see in the “amount due” on their utility bill) almost double from approximately 16 cents/kWh to almost 30 cents/kWh. Even with the welcome decrease in SO prices, total costs for residential ratepayers will still be an historically high rate of approximately 25 cents/kWh.

This slight drop in price is good news but should not lead to complacency. Unfortunately, there are projections of a series of significant increases in CMP and Versant *delivery* rates starting next July 1st. As a result, we all have a lot of hard work ahead of us to make electricity costs competitive with other states and affordable to Maine customers, especially struggling low income ratepayers.

The other turn of events is the voters’ overwhelming rejection on November 7th of the Pine Tree Power proposal (Question 3).

Although the vote was heavily in favor of CMP’s and Versant’s position, I doubt it was a ringing endorsement of those two utilities or even the status quo. We still are left with the question: what is the answer? Unfortunately, in an age where we expect instant gratification, there are no easy answers. Perhaps, we need to go back to the fundamentals of good utility regulation.

We need to be looking under every stone for evidence of excessive or imprudent utility spending and when we find it, convince the PUC and FERC, to disallow recovery of those costs in rates. We also need to make sure we have the most appropriate rate design to give ratepayers strong price signals to curtail discretionary electricity usage during peak periods when electricity costs are highest. All with the overall aim to make sure that electricity is affordable to all ratepayers, especially our most vulnerable citizens who are struggling financially.

We also need to be sure that service is “safe, reasonable, and adequate”. We must continue to implement the Utility Accountability Act and agree on an appropriate level of service and then invoke the public “report cards” to educate and inform ratepayers. If the utilities fail to meet those standards, prompt and tough penalties must be assessed.

We also must address how utilities should support reaching our climate goals. We need a clear strategy for how utilities can best promote and, where necessary, help subsidize the development of

Office of the Public Advocate

Your Trusted Source for Utility Information

renewable energy. There will be difficult tradeoffs between lower electricity rates and more renewable power, but we shouldn't let political lobbying dictate the answer. We must be disciplined in deciding how much extra costs ratepayers should bear in order to promote renewable energy. Then we must ensure that the money goes to programs and projects where we get the most renewable energy for the smallest subsidy.

This work will require many long days in the PUC hearing room presenting sound and thoughtful comments while carefully listening to and responding to each other's points of view. It's hard work. But I am hopeful that if we do it well, we can have better utility performance and address most of the underlying frustrations that led to Question 3.

William Harwood

[Find Out More](#)

To learn more about any of the cases mentioned in this issue, please visit the [PUC's Case Management System \(CMS\)](#). Make note of the docket number of the case of interest from this newsletter and enter it in the search feature.

You can visit our website for more information: <https://www.maine.gov/meopa/home>

If you know someone who might be interested in receiving future editions of our monthly highlights, have them contact benjamin.j.frech@maine.gov

[Electric Ratepayer Advisory Council](#)

The Council has concluded its work for 2023 and submitted its Annual Report to the Joint Standing Committee on Energy, Utilities, and Technology on December 1st. The Council's recommendations aim to reduce electricity bills for Maine ratepayers by proposing increased funding for the LIAP program and continuing the AMP program by repealing the statutory "sunset." Included with the Council's Report, Sage Consulting's Report discussed low-income assistance in other states and the OPA included a Report advocating for the continuance of the Arrearage Management Program. The OPA will present the Report to the EUT Committee early in the new year. The Report can be found on the OPA's website here: <https://www.maine.gov/meopa/about/reports-and-testimony/council>

[Legislative Advocacy](#)

The EUT Committee was given permission to meet four times in the interim period between sessions to work on bills that were carried over from the previous session. The OPA has participated in these hearings and work sessions. The Committee is not expected to meet again before the second session begins in the first week of January.

Office of the Public Advocate

Your Trusted Source for Utility Information

FERC REGULATED TRANSMISSION COSTS

OPA Continues Its Fight Against Asset Condition Projects

As reported previously, the OPA has joined with other state consumer advocates in challenging ISO New England (ISO-NE) regarding the projected dramatic increase in expenditures by New England Transmission Owners (NETOs).

Asset condition projects involve the replacement of existing transmission facilities with new facilities that will perform the same function. The decision to replace the existing facilities is based on age or physical condition, rather than a desire to expand their capacity or increase their reliability for reasons other than their condition. Under existing rules, such projects are not generally subject to scrutiny by ISO-NE as part of its planning process in the same manner as transmission upgrades. The NETOs recently increased their estimate of the cost of asset condition in development to approximately \$5 billion.

In September, the OPA filed a series of written discovery requests on the NETOs regarding projects that they are proposing to include in rates this year. On November 15, the OPA followed this step by initiating an informal challenge to the inclusion of the cost of recently incurred costs in rates on the grounds that the NETOs had not met their burden to demonstrate that the investments were prudent.

OPA Submits Comments on Interconnection Roadmap

The OPA provided comments to the Department of Energy (DOE) on a draft of the Interconnection Innovation e-Xchange (i2X) Transmission System Interconnection Roadmap (Interconnection Roadmap). In response to the large increase in interconnection requests and the resulting backlog, the Interconnection Roadmap identifies opportunities for changing the interconnection process to benefit all stakeholders. The OPA expressed concern about cost impacts on residential consumers, particularly low to moderate income consumers, if cost recovery methods shift costs from the interconnecting generator to all other customers. Using transmission rates to collect the cost of public policy initiatives acts as a regressive tax, since low and moderate-income customers devote a larger percentage of their incomes to energy-related expenses. This equity concern should be expressly considered when making interconnection cost recovery decisions. The OPA also highlighted the challenges to interconnecting battery systems under ISO-NE study requirements that make it more difficult to interconnect batteries in congested areas where batteries are most needed.

[PUC Electric Proceedings](#)

PUC Approves Changes to the AMP Program

On December 5, 2023, the PUC approved the recommendations from the OPA and Electric Ratepayer Advisory Council (ERAC) to amend Chapter 317 of the PUC's rules to allow the

Office of the Public Advocate

Your Trusted Source for Utility Information

Arrearage Management Program (AMP) to provide more opportunity for more ratepayers to reduce significant arrearages on their bills and to get a fresh start (Docket No. 2023-00134). AMP is one of several low-income programs, along with the Low-Income Assistance Program (LIAP) and the Low-Income Heating Assistance Program (LIHEAP), that support electricity customers. AMP provides financial assistance and on-time bill payment incentives to eligible customers. Specifically, low-income customers with significantly past-due balances (accumulated arrears) who pay monthly usage charges on time receive a monthly credit towards their arrears as long as they remain in compliance with the terms of the program. In addition, AMP participants have access to a complementary energy efficiency program from Efficiency Maine Trust to help reduce their energy consumption.

The rule changes will allow AMP participants to miss two (instead of one) payments before being removed from the program; allow customers to enroll in AMP once every 7 years (instead of once in a lifetime); expand eligibility to include all LIAP-eligible customers; increase the maximum monthly amount of arrearage forgiven to \$500/month (instead of \$300/month); and ensure that customers do not have to pay more than one month's bill in the month they are enrolled in AMP. This program improves the life of low-income Mainers. Since AMP began in 2015, approximately 2,000 participants have collectively had their arrearage of over \$5 million forgiven.

OPA Advocates for Improved Rate Design for Recovery of Stranded Costs

In September, the Maine PUC opened a continuing investigation into stranded cost rate design in Docket No. 2023-00230. "Stranded cost" is the term used to describe those costs incurred by Maine's transmission and distribution at the direction of the Legislature related to various policy initiatives, such as the cost of long term power contracts with renewable generators. Earlier this year, the Commission had adopted a new method for recovering the cost of community solar purchased under the State's Net Energy Billing (NEB) programs whereby these costs would be recovered through fixed customer charges. This new approach attracted complaints from a number of large customers, including a group of industrial customers and a number of large generation facilities.

In opening a new investigation, the Commission indicated that it intended to consider the impact of the fixed charge on customers, clarifying the definition of "rate class," and examining the possibility of a fixed charge for recovery of non-NEB stranded costs. The Commission set a deadline of November 22, 2023 for interested parties to file testimony.

On November 9, 2023, the Industrial Energy Consumer Group (IECG) filed a motion for clarification in which it sought to expand the scope of the investigation to consider additional issues, to provide additional process, and to require the utilities to file cost of service studies. On November 15, the OPA responded to IECG's motion, supporting additional process and an expanded scope of issues, but opposing the request to require the utilities to file cost of service studies as being unnecessary.

Office of the Public Advocate

Your Trusted Source for Utility Information

Specifically, the OPA believes that concerns relating to the use of fixed customer charges that have given rise to the complaints of the generator intervenors are equally applicable to smaller customer class. In particular, the OPA is concerned that the “one size fits all” nature of customer charges overburdens smaller customers within each rate class. For instance, CMP’s MGS commercial rate class imposes the same fixed customer charges for customers from 20 kilowatts of demand up to 400 kilowatts of demand, an extremely wide range.

To address this concern, the OPA filed testimony on November 22 proposing that NEB related stranded costs be collected from commercial classes based on a demand charge rather than a fixed customer charge. This approach addresses the wide variation in customer size within the commercial classes. For residential classes, which are not subject to a demand charge, the OPA recommends increasing the number of kilowatt hours of energy included with the customer charge, thereby reducing the disproportionate impact of the customer charge on lower usage customers.

The next step in the proceeding will be for parties to conduct discovery on testimony that has been filed by the utilities, the generator intervenors, the OPA, and any other party submitting testimony.

Versant Power Rates to Increase on January 1, 2024

On November 27, 2023, Versant Power filed a compliance filing setting forth revised rates to be effective January 1, 2024 (Docket Nos. 2022-00255, 2023-00075, 2023-00076). The revised rates reflect a distribution rate increase, Revenue Decoupling Mechanism adjustment, stranded cost rate increase, and a transmission rate increase. The combined effect for residential customers will be an increase in distribution rates from 14.846 cents per kWh to 16.493 cents per kWh, with an increase in the total monthly minimum charge from \$10.15 to \$11.64. Customers with an average usage of 500 kWh per month will see an increase of about \$8.25 per month on their delivery service. This is separate from the electric supply portion of customer bills, which will be reduced significantly for customers taking standard offer service.

The OPA Defends Testimony Filed in CMP Storm Cost Investigation

In a November 15 technical conference, the OPA’s witness defended his testimony recommending that the Commission find that CMP imprudently managed 2022 storm costs (Docket No. 2023-00038). The OPA’s expert identified significant deviations, particularly related to external contractor staffing, from the company’s own Emergency Response Plan. The OPA asks that the Commission impose a disallowance of more than \$50 million in imprudently incurred storm costs.

CMP filed its responsive testimony on December 6. A public witness hearing took place on December 5 (virtual) and another is scheduled for December 12 in Freeport (in person).

PUC Opens Inquiry into Climate Change Protection Plans

The Maine PUC has initiated an Inquiry to receive Climate Change Protection Plans that must be filed by electric transmission and distribution utilities pursuant to “An Act Regarding Utility

Office of the Public Advocate

Your Trusted Source for Utility Information

Accountability and Grid Planning for Maine’s Clean Energy Future,” P.L. 2021, c. 702, codified at 35-A M.R.S. § 3146 (Docket No. 2023-00282). That statute requires that no later than December 31, 2023, and every three years thereafter, each electric transmission and distribution utility shall file with the PUC a 10-year plan that includes specific actions for addressing the expected effects of climate on the utility’s assets. The PUC opened this docket to review the required plans and to allow interested parties to file comments on those plans. Once the plans have been received, the PUC will establish a process for receiving input from interested parties.

PUC Issues RFP for Combined Heat and Power Projects

The PUC has issued a Request for Proposals (RFP) for energy produced from qualifying combined heat and power (CHP) projects (Docket No. 2023-00296). To participate in this RFP, a project must be a CHP project, which is defined as a facility that uses wood fuel to generate electric heat and power that is used for industrial or space heating purposes. Additionally, to be eligible to participate in the RFP a CHP project must: (1) be connected to the electric grid of this State; (2) have an in service date after November 1, 2022; (3) satisfy the limits on net generating capacity of no less than 3 MW and no more than 15 MW in any hour; (4) be highly efficient, as determined by the PUC on a technology-specific basis; and (5) not be a participant in net energy billing under 35-A M.R.S. §§ 3209-A or 3209-B. The PUC is authorized by statute to direct an investor-owned transmission and distribution utility to enter into long-term contracts with one or more CHP facilities. Eligible projects must be between 3 MW and 15 MW, with total net generating capacity of awarded contracts to not exceed 30 MW. Proposals in response to the RFP are due by February 16, 2024.

Net Energy Billing Rulemaking Commenced by PUC

On November 9, 2023, the PUC issued a Notice of Rulemaking to consider amendments to Chapter 313 of its rules regarding net energy billing (NEB) (2023-00284). This rulemaking arises due to recently passed legislation. In its most recent session, the Legislature enacted “An Act Relating to Net Energy Billing and Distributed Solar and Energy Storage Systems,” P.L. 2023, c. 411. This legislation included various amendments to the NEB statutes, including amendments to sections 3209-A and 3209-B, as well as a new section 3209-C, which sets forth provisions for NEB cost recovery. The legislation requires the Commission to adopt rules to implement this new section. The Legislature also enacted “An Act to Amend the Net Energy Billing Laws to Direct Expiring Net Energy Billing Credits to Provide Low-Income Assistance,” P.L. 2023, c. 230. This Act requires that the value of expired NEB credits under the kilowatt hour program be used to support the LIAP program. The rulemaking is limited to those amendments necessary to implement this recent legislation. Initial comments in this rulemaking proceeding are due by December 8, 2023. Final comments must be filed by January 5, 2024.

Office of the Public Advocate

Your Trusted Source for Utility Information

The OPA Intervenes in Solar Company Request for Good Cause Exemption Under Net Energy Billing Statute

On November 16, a solar developer filed a request for a good cause exemption of the statutory deadline of December 31, 2024 for a solar project to become operational to participate in the NEB program (Docket No. 2023-00304).

The OPA estimates that the NEB program will cost ratepayers \$220 million per year, once all eligible projects are online. The projects included in the petition represent millions of dollars in annual ratepayer costs if they are allowed to participate in the NEB program. This follows another good cause exemption request filed by multiple developers in Docket No. 2023-00236. These cases will set an important precedent for other projects seeking good cause exemptions. An initial case conference is scheduled for December 14.

LAW COURT RULING

Court Concludes Solar Facility Does Not Meet “Public Utility” Exception in Municipal Zoning Ordinance.

In a November 7, 2023 decision, the Maine Supreme Judicial Court (or Law Court) in *Odiorne Lane Solar v. Town of Eliot* found that a solar farm was not a “public utility facility” under the Town of Eliot’s zoning ordinance. The Town’s ordinance defined “public utility” as “any person, firm, corporation, municipal department, board or commission authorized to furnish gas, steam, electricity, waste disposal, transportation or water to the public.”

The Court reasoned that, following restructuring of electric utilities in 2000, a generator does not meet the definition of a public utility. While the Town of Eliot is free to use a different definition of “public utility” than the definition provided in statute, the fact that the ordinance defined public utility as an entity “authorized” to furnish service required the Court to examine which entities are authorized to provide utility service by statute. Because solar generators are not “authorized” to provide utility service to the public, the Court concluded that the solar farm did not meet the public utility facility exception.

[PUC Natural Gas Proceedings](#)

PUC Requests Information Regarding Renewable Natural Gas

On November 15, 2023, the PUC issued a Notice of Inquiry and Request for Information relating to the use of renewably sourced natural gas (Docket No. 2023-00302). The Notice of Inquiry stems from “An Act to Reduce the Cost of Energy in Maine and Reduce Greenhouse Gas Emissions Through the Effective Use of Renewably Sourced Gas,” P.L. 2023, c. 222 (the Act). The Act requires that the PUC submit a report to the Joint Standing Committee on Energy, Utilities and Technology that includes a summary of the responses that the PUC receives in this docket as well as any actions the PUC has taken in response to the comments.

Office of the Public Advocate

Your Trusted Source for Utility Information

Through the Notice of Inquiry, the PUC has requested comment on:

- Whether there are any reasonable opportunities to explore and consider engaging in energy cost reduction contracts or physical energy storage contracts;
- Existing and near-term replacement energy sources for natural gas in commercial and industrial uses that are in line with the State's greenhouse gas reduction policies; and
- Other information that commenters believe are relevant or instructive with respect to topics described in the Act. Comments to the PUC are due no later than December 8, 2023.

PUC Approves Summit Natural Gas Proposal to Split Its Large Commercial Rate Class

On October 2, 2023, Summit Natural Gas of Maine, Inc. (Summit) filed for approval of revised Terms and Conditions of Service and rate schedules to create an Intermediate Commercial Class of service, (Docket No. 2023-00255). In its request, Summit stated that its proposed modifications essentially would split its Large Commercial Class into two classes:

- Customers with meters rated at less than 23,000 cubic feet per hour, designated as Intermediate Commercial customers, and
- Customers with meters at 23,000 cubic feet per hour, that would continue to be designated as Large Commercial customers.

Summit proposed that the rates and charges for Intermediate Commercial customers remain the same as those in place for Large Commercial customers but that under the proposed modifications Large Commercial customers would be subject to additional balancing, notice, and interruptible provisions.

Parties to this proceeding worked collaboratively in an attempt to reach agreement on appropriate tariff language to protect small gas sales customers from potentially negative consequences of very large commercial customers taking sales service on a sporadic, backup basis. In the end, the OPA was unable to agree with the structure proposed by Summit and agreed to by other parties. The final tariff language proposed by Summit lacked any requirement for such large customers to pay for the benefit of receiving what is essentially backup service. Instead, the final tariffs filed by Summit included a requirement that a large customer (either an applicant or a new or returning customer) that unexpectedly requests large quantities of gas on short notice be required to pay the applicable monthly Service and Facility charge for a twelve-month period on a forward-going basis, with no obligation to pay to remain connected to Summit's system and receive backup service. At its deliberative session on November 28, 2023, the PUC approved Summit's proposed tariff revisions. A written order is pending.

PUC Examination of New Northern Utilities Precedent Agreements

On October 6, 2023, Northern Utilities, Inc. d/b/a Unitol (Northern) filed a request for PUC approval of precedent agreements entered into by Northern with Portland Natural Gas Transmission System and TransCanada Pipelines Limited for a firm natural gas pipeline transportation path from Empress, Alberta to Granite State Gas Transmission, Inc. (Docket No.

Office of the Public Advocate

Your Trusted Source for Utility Information

2023-00254). Northern expects service on the new Empress pipeline path will commence service on April 1, 2024. The PUC developed a procedural schedule that will satisfy the timeline proposed by Summit for an expedited PUC decision. The initial step, discovery on Northern's initial filing, has been completed. The next step will be for intervenor comments on Northern's request. The OPA and Conservation Law Foundation are the only intervenors in this proceeding.

PUC Water Proceedings

Settlement Conference Held on the Maine Water Company's (MWC) Request for a Rate Increase for Its Biddeford & Saco (B&S) Division

On July 28, 2023, the MWC asked the PUC to increase the annual revenue it is authorized to collect from customers by approximately \$3.61 million (originally on March 31, 2023 the Company had asked for an increase of approximately \$2.95 million; Docket No. 2023-00065). Part of the rate increase is to pay for MWC's new treatment plant, Saco River Drinking Water Resource Center which began operating in 2022. This is also the first time that the B&S Division is seeking recovery for management costs from its new parent company, the San Jose Water Group. On November 27, 2023, the PUC's Hearing Examiners held a settlement conference to resolve the case and have suspended further proceedings.

PUC Recommends that Bangor Water District (BWD) Does Not Need to Issue a Refund to Customers Who Paid the New Rate for Prior Water Use

On April 7, 2023, the PUC's Consumer Assistance and Safety Division (CASD) ordered BWD to refund approximately \$79,000 to customers that had been billed for water at a new higher rate that was not yet in effect when the customers consumed the water (Docket No. 2023-00101). On May 16, 2023, the Commission opened an investigation to review CASD's decision. On October 23, 2023, the PUC's Hearing Examiners recommended that while BWD had not complied with the law regarding adherence to rate schedules, BWD was entitled to an exception. BWD is a consumer-owned utility (COU), meaning that any refund would need to be covered by BWD's customers in a future rate case. Further, BWD had acted in good faith and not intentionally violated the law or acted contrary to the public interest. On November 20, 2023, the OPA filed Comments arguing that while BWD has no shareholders that could cover the cost of any refund, this was not grounds for an exception to the legal requirement.

The PUC Considers Whether to Hold a Public Witness Hearing on Maine Water Company's (MWC) Request for Another Rate Increase for Its Camden & Rockland (C&R) Customers

On June 30, 2023, the MWC asked the PUC for permission to raise its revenues by 2.34% by adding a surcharge to C&R customers' bills to recover the costs (approximately \$1.7 million) of repairs/replacement of water mains and other equipment (Docket No. 2023-00163). On July 13, 2023 the OPA filed Comments asking why customers were not provided with notice of this case.

Office of the Public Advocate

Your Trusted Source for Utility Information

The Commission agreed with the OPA and suspended the proceeding until MWC sent the necessary notice to customers. On October 31, 2023, in response to MWC's notice, a C&R customer asked the PUC to schedule a public witness hearing on the case. On November 15, 2023, the Hearing Examiners asked the parties whether they supported the customer's request. On November 22, 2023, the OPA filed Comments in support of the customer's request while MWC argued that the public witness hearing was not warranted and that the Commission should instead issue a final decision on the case.

Lincoln Water District (LWD) Holds a Public Meeting to Describe its Request for a Special Rate Contract with Poland Spring

On June 23, 2023, LWD notified the PUC that it would be amending its lease with Poland Spring Bottling Company (Docket No. 2023-00151). LWD also would be creating a Special Rate Contract (SRC) between the District and Poland Spring. The OPA responded that LWD was required to hold a Public Meeting to give customers an opportunity to comment on the lease. The Commission found that Poland Spring is a "customer" of LWD, subject to a public meeting statutory exemption. However, over objection by LWD, the Commission ruled that for an agreement of this significance for LWD and its customers, there must be an opportunity for the public to receive information, ask questions, and weigh in. LWD held a public meeting on November 14, 2023.

Boothbay Region Water District (BRWD) Customers Ask the Commission to Investigate a Proposed Rate Increase

On September 14, 2023, the BRWD requested permission to raise the revenue collected from residential customers by 19.70%, effective January 1, 2024 (Docket No. 2023-00240). After a public hearing on October 23, 2023, approximately 450 customers signed a petition asking the Commission to suspend the case and investigate the rate increase. This fell short of the 516 signatures statutorily required to trigger a Commission investigation, but the customers argued that they were unable to reach many Boothbay seasonal customers that leave the area in the Fall. The signatories await the Commission's decision on whether the requested investigation will be undertaken.

The OPA Argues Maine Water Depreciation Case Before the Maine Supreme Judicial Court

On December 5, the Maine Supreme Judicial Court sitting as the Law Court heard oral argument in the OPA's appeal of the Commission's decision to grant a waiver of using normal depreciation expense to Maine Water Company (PUC-23-101). As a result of the waiver, Maine Water's rate base is artificially inflated by millions of dollars, requiring the company to pay a much higher return to the Company. The OPA argued that the Commission's decision is contrary to the Commission's own rules, failed to use a reasonable methodology to calculate depreciation expense, and is unsupported by substantial evidence in the record.

PUC Rulemaking Proceedings

Change of Interest Rate on Customer Deposits and Late Payment Charge Interest Rate

In an Order on April 27, 2022, the PUC amended Chapter 870 (Docket No. 2021-00359), adjusting the maximum late payment charges and the rate payable on customer deposits. In a letter to all the utilities dated November 14, 2023, the Commission informed utilities that the maximum Late Payment Charge for 2024 will be **12.00% annually**. For utilities choosing to compound, the equivalent monthly maximum late payment charge will be **0.949%**. Additionally, the rate payable on customer deposits held in 2024 will be **5.08%**. These changes take effect on January 1, 2024.

PUC Opens Inquiry into Possible Amendments to Chapter 83 of Its Rules

The PUC has opened an inquiry to gather input from interested persons regarding possible amendments to Chapter 83 of its Rules, which requires all public utilities to file annual reports describing:

- political activities, institutional advertising, promotional advertising, and promotional allowances,
- detailed and separate accounting for expenses associated with political activities, institutional advertising, promotional advertising, and promotional allowances.

Chapter 83 prohibits any electric or gas utility from providing promotional allowances without prior PUC approval; and establishes PUC policy and ratemaking treatment for expenses associated with political activities, institutional advertising, promotional advertising, and promotional allowances.

In 2023, the Legislature enacted “An Act to Require Transparency in Public Utility Advertising Expenditures,” P.L. 2023, c. 286 (the Act), which sets forth limitations on the recovery in utility rates for expenditures relating to political activities, public charities, and educational expenditures.

To a large extent, the Act mirrors the current requirements of Chapter 83, but there are some terminology differences which will require some modifications to the Rule’s definitions. Of note, the Act contains a prohibition on the recovery in rates of educational expenses, unless approved by the PUC as serving a public interest. However, the Act specifically exempts consumer-owned utilities from this provision. A rulemaking will follow the Commission’s inquiry.

Consumer Assistance

Elizabeth Deprey, OPA Consumer Advisor

We Know the 2024 Standard Offer Rates – Now What?

One critical strategy to reducing your electric bill is making sure you have the best supply rate possible. Now that the 2024 Standard Offer (SO) rates are public – and lower than 2023 rates (see table below) - it’s a good time to re-evaluate your current rate.

Office of the Public Advocate

Your Trusted Source for Utility Information

- Central Maine Power customers - The last page of your electricity bill, the “Electricity Supply Account Detail” page, lists your electricity supplier and the price per kilowatt hour.
- Versant Power customers - The second page of the electricity bill has a Supplier Information box which lists the supplier and price per kilowatt hour.

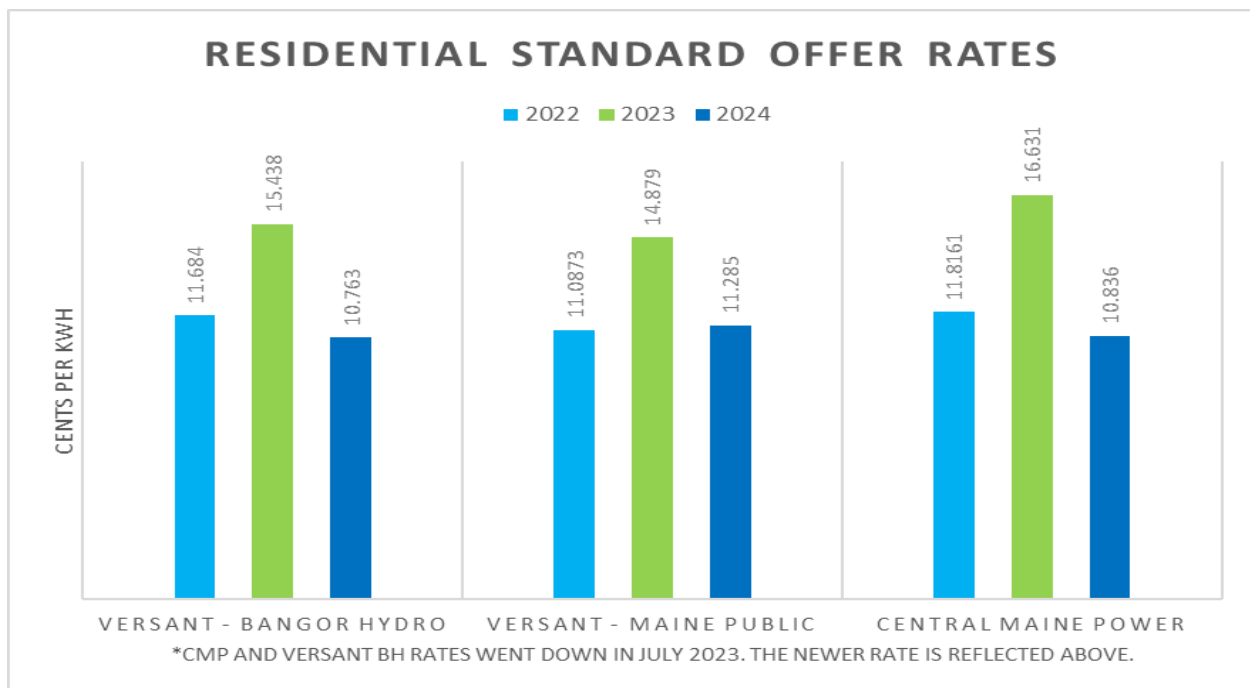
If you are already on the Standard Offer, you will pay the lower price on Jan. 1, 2024.

If you are with a different supplier/CEP (Competitive Electricity Provider) and paying more than the 2024 SO, it's time make a change. Your bill will list contact information for your supplier.

- If your CEP contract has an early termination fee, you may find it's a better option to try to renegotiate with your supplier. The early termination fee may not be worth the savings you're seeking by switching to the Standard Offer before your contract is up.
- If you don't have an early termination fee, you can choose to try to renegotiate your rate, or to go back on the Standard Offer. The Standard Offer will be in effect throughout 2024.

Your CEP and your utility both have the ability to switch your account to the Standard Offer. Note: Your utility can likely do it more quickly than the CEP if you're in a hurry.

Please reach out to the OPA for any assistance or information you need to take advantage of the new, lower Standard Offer. You can email OPA@Maine.gov or call 207-624-3687.



Office of the Public Advocate

Your Trusted Source for Utility Information

Consumer Corner – How to Make It Through Winter Heating Season

No matter your income level, winter heating season can take a significant bite out of your budget. Here are some cost-reduction tips:

- One crucial strategy is to make sure you're cutting your energy use where you can. Efficiency Maine has an [Energy Efficiency Tips Guide](#) with several tips to improve your energy use in your home. There are also [insulation rebates](#) up to \$9,200 available through Efficiency Maine – that means savings now and savings in energy use over time.
- If you're using heat pumps to heat your home, [CMP](#) and [Versant](#) both have rates designed to help reduce those winter bills. Call the customer support line to inquire.
- If you have trouble paying your bills this winter, the OPA recently created a new [Low-Income Resources](#) page that outlines financial support for heat, electricity, internet, gas, and even telephone.
- The Governor's Energy Office also recently released a [Winter Heating Guide](#) with lots of information and resources – you can also count on them for [home heating fuel prices](#), updated weekly.

[Energy.gov](#) has a number of DIY projects worth checking out to see if your home may benefit, including water heater and weatherization projects.

State Announces Help for Low-income Broadband Consumers

The Maine Connectivity Authority (MCA) has announced that qualifying low-income broadband customers will receive a discount of up to \$30 per month (up to \$75 per month for qualifying tribal households) and a one-time \$100 discount toward a laptop, desktop computer, or tablet. The Affordable Connectivity Program (ACP) is funded by the Federal Infrastructure Investments and Jobs Act (IIJA). MCA's "ACP4ME" campaign is hoping to reach approximately 240,000 eligible Maine households. Eligible households earn 200% of the Federal Poverty Guidelines or less. For a household of 4, that is \$60,000. Also, this benefit may not be available after June 2024, so we encourage people to act quickly to benefit their household for as many months as possible. To learn more, visit maineconnectivity.org/affordability

What to do if you are behind on your utility bills

- Contact your utility. Ask about a payment arrangement to pay down your back balance.
- If you have a payment arrangement with your utility and you can't afford it, contact the PUC's Consumer Assistance Division at (800)452-4699 to see if they can negotiate a more favorable rate for you.
- Call your local CAP (Community Action Partnerships). There are heating, electric, and pandemic assistance funds available to help with your utility bills.
- Contact your town for general assistance fund support.

Office of the Public Advocate

Your Trusted Source for Utility Information

- If you are eligible for heating assistance, call your electric utility and ask about enrolling in arrearage management. This program provides debt forgiveness as you pay your current electricity bill on-time.

[Having trouble paying a utility bill?](#)

The PUC has a webpage to connect you to bill assistance resources. This list covers all utilities and is a great page to review if you are having trouble making ends meet:

<https://www.maine.gov/mpuc/consumer-assistance/programs>

A PUBLICATION OF THE OFFICE OF THE PUBLIC ADVOCATE

112 STATE HOUSE STATION | AUGUSTA, ME 04333-0112

207.624.3687 | TTY 711 | E-MAIL OPA@MAINE.GOV | **MAINE.GOV/MEOPA**