

2023 -- H 5346

LC001161

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC UTILITIES COMMISSION

Introduced By: Representatives Sanchez, Giraldo, Alzate, Kislak, and Biah

Date Introduced: February 03, 2023

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-1-27.12 of the General Laws in Chapter 39-1 entitled "Public
2 Utilities Commission" is hereby amended to read as follows:

3 **39-1-27.12. Low Income Home Energy Assistance Program Enhancement Plan.**

4 (a) The Low Income Home Energy Assistance Program Enhancement Plan (hereinafter
5 "LIHEAP Enhancement Plan") is hereby created to supplement the federal Low Income Home
6 Energy Assistance Program ("LIHEAP") funding being received by customers of Rhode Island
7 electric and gas distribution companies.

8 (b) Within a period of time sufficient to accomplish the purposes of this section, but not
9 longer than ninety (90) days after the effective date of this chapter, the department of human
10 services shall develop a recommended monthly "LIHEAP enhancement charge" rate for the
11 following year and make a filing with the commission pursuant to this chapter recommending rates.
12 Thereafter annually, but no later than October 15 of each year, the department shall make filings
13 with the commission to recommend the LIHEAP enhancement charge rates for each class of
14 electric and natural gas distribution company customer for the following year.

15 (c) A LIHEAP enhancement charge approved by the commission shall have the following
16 limitations:

17 (1) For electric distribution company customers, the charge shall not be more than ten
18 dollars (\$10.00) per year.

19 (2) For natural gas distribution company customers, the charge shall not be more than ten

1 dollars (\$10.00) per year.

2 (3) The total projected annual revenue for the LIHEAP enhancement plan through charges
3 to all electric and natural gas distribution company customers shall not exceed seven million five
4 hundred thousand dollars (\$7,500,000) and shall not be below six million five hundred thousand
5 dollars (\$6,500,000).

6 A minimum of five percent (5%) shall be allocated to provide assistance to customers who
7 are seeking LIHEAP certification for the sole purpose of entering into an arrearage plan as defined
8 in § 39-2-1(d)(2) between April 15 and September 30 of each year. Such customers must be a
9 homeless family or individual transitioning from a shelter into housing and who have provided
10 documentation acceptable to the department of human services. Any funds remaining at the end of
11 the fiscal year shall be available for the upcoming winter season.

12 (d) The commission shall open a docket, to consider for approval, LIHEAP enhancement
13 charge rates proposed by the department. In reviewing the recommended rates, the commission
14 shall give due consideration to the recommendations of the department and the standards set forth
15 in subsection (c). The commission shall issue a decision within sixty (60) days after said
16 recommendations and report are filed with the commission establishing the enhancement plan
17 charge rates.

18 (e) The electric or gas distribution company shall use the funds collected through this
19 enhancement plan charge to provide a credit to customers' accounts that are receiving federal
20 LIHEAP assistance payments in a manner determined by the department of human services. The
21 department of human services shall designate to the gas- or electric distribution company the
22 qualifying customer accounts and the amounts to be credited to those customer accounts, provided
23 that the total amount to be credited to those accounts shall be fully funded by, and not exceed, the
24 total amount collected through the enhancement plan charge. The electric or gas distribution
25 company's added administrative expenses to process the credit assignments provided to it by the
26 department of human services will be recoverable either from the LIHEAP enhancement charge or
27 through a separate charge approved by the public utilities commission.

28 (f) As used in this section, "electric and natural gas distribution company" means a
29 company as defined in § 39-1-2(a)(12), but not including the Block Island Power Company or the
30 Pascoag Utility District.

31 (g)(1) Pilot program. Commencing July 1, 2023, the public utilities commission in
32 conjunction with the department of human services shall establish an outreach pilot program to
33 low-income residents eligible for but not enrolled as a member of LIHEAP for the purpose of
34 increasing enrollment in the program. The pilot program shall be funded by appropriation of funds

1 by the general assembly and shall be subject to oversight and audit by the department.

2 (2) No later than December 1, 2023, the department shall file a written report to the
3 governor, the speaker of the house, and the president of the senate regarding the effect and/or
4 success of the outreach program, and recommendations, if necessary, for additional revenues or
5 appropriations to fund full participation for qualified applicants.

6 (3) This section shall sunset on September 1, 2025.

7 SECTION 2. This act shall take effect upon passage.

=====
LC001161
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PUBLIC UTILITIES AND CARRIERS -- PUBLIC UTILITIES COMMISSION

1 This act would create a two (2) year pilot program within the public utilities commission
2 (PUC), in conjunction with the department of human services (DHS), for the purpose of increasing
3 enrollment of low-income residents to participate in LIHEAP with a report due on December 1,
4 2023, on the success of the program and any need for increased funds to the governor, and general
5 assembly. The program would commence on July 1, 2023, and sunset on July 1, 2025.

6 This act would take effect upon passage.

=====
LC001161
=====