

July 13, 2023

MAINE PUBLIC UTILITIES COMMISSION
Inquiry Regarding Temporarily Expanding
Low-Income Assistance Plan Eligibility

NOTICE OF INQUIRY

I. SUMMARY

Through this notice, the Commission initiates an inquiry to seek public comment on how to allocate additional funding for Maine's statewide Low-Income Assistance Plan (Statewide Plan) in Fiscal Year 2023-2024 and Fiscal Year 2024-2025 pursuant to recently enacted legislation.

II. BACKGROUND

A. Low-Income Assistance Program

Title 35-A, Section 3214 directs the Commission to oversee the implementation of a statewide financial assistance program for electricity customers who are unable to pay their electricity bills in full. Chapter 314, the Commission's implementing rule, establishes the standard design, administration and funding mechanism for the Statewide Plan which is comprised of the individual Low-Income Assistance Programs (LIAPs) offered by Maine's transmission and distribution (T&D) utilities and is administered by the Maine State Housing Authority (MSHA). In 2022, the Commission amended Chapter 314 expanding LIAP eligibility to include participants in Department of Health and Human Services (DHHS) means-tested programs whose income is at 75% or less of the Federal Poverty Level (FPL) in addition to Low Income Home Energy Assistance Program (LIHEAP)¹ eligible households. *Maine Public Utilities Commission Amendments to Statewide Low-Income Assistance Plan Rule (Chapter 314)*, Docket No. 2021-00400, Order Adopting Rule and Statement of Factual and Policy Basis (May 3, 2022) (Docket 2021-00400).

B. Legislation

During the 2023 legislative session, L.D. 258, An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending

¹ LIHEAP is a federal program that offers energy assistance to people who fall within the established poverty guidelines and is administered by the MSHA.

June 30, 2023, June 30, 2024 and June 30, 2025, was enacted (Act). P.L. 2023, c. 412. The Act provides one-time funding of \$15 million for the Statewide Plan; \$7.5 million in Fiscal Year 2023-2024 and another \$7.5 million in Fiscal Year 2024-2025. *Id.* Part A, Sec. A-21. Pursuant to the Act, the State Controller shall transfer the funds from the unappropriated surplus of the General Fund to MSHA to help low-income homeowners and renters pay for electricity costs. *Id.* Part SSSS, Sec. SSSS-1. Transfer from General Fund unappropriated surplus; Low-income Home Energy Assistance-MSHA.

III. REQUEST FOR COMMENTS

The Commission seeks public comment on how to allocate the additional funding for Fiscal Year 2023-2024 and Fiscal Year 2024-2025. For example, should the Commission focus exclusively on increasing the number of customers eligible by raising the FPL eligibility threshold and keeping the amount of the individual customer benefit approximately the same or should the Commission do a combination of moderately increasing the FPL eligibility threshold and moderately increasing the amount of the benefit?

Written comments should be filed using the Commission's case management system (CMS). Comments are due by close of business on **Thursday, July 27, 2023** and reply comments are due by close of business on **Thursday, August 10, 2023**. The Commission needs to move quickly in order to provide utilities with the information required to enroll newly eligible customers for the 2023-2024 LIAP program year which begins on October 1, 2023.

IV. NOTICE

This Notice of Inquiry will be provided to the Governor's Energy Office and the notification list for Docket 2021-00400, which includes all electric transmission and distribution utilities, the Office of the Public Advocate, AARP Maine, Maine Equal Justice, the Maine Community Action Partnership, DHHS and MSHA.

Dated at Hallowell, Maine, this 13th day of July, 2023.

BY ORDER OF THE PRESIDING OFFICER

/s/ Paulina McCarter Collins