

SUMMARY OF NO. 25-42

This proposed law would require electric and gas distribution companies to obtain a ratepayer's affirmative, written consent for charges not directly related to the physical delivery of gas or electricity, defined as any charges not directly and exclusively related to the operation and maintenance of the infrastructure necessary to deliver gas or electricity.

The proposed law would prohibit the Department of Public Utilities from authorizing utilities to charge ratepayers for costs associated with net metering, renewable energy incentives, clean energy programs, tariff structures supporting such programs, or funding for renewable energy project development, unless the ratepayer has opted in to those costs in writing.

The proposed law would limit non-delivery-related charges to no more than five percent of a ratepayer's total monthly bill.

The proposed law would eliminate the utilities' ability to recover costs for net metering credits, renewable energy incentives, clean energy programs, demand-side management, and related tariffs from ratepayers without consent. It would also eliminate required charges to ratepayers for certain energy efficiency programs, and would require that ratepayers opt in to these charges. Prior written consent would be required for

certain utility surcharges, including charges for local distribution adjustment clauses, distribution adjustment, environmental remediation, pension or benefit recovery, and infrastructure enhancement plans. The proposed law would eliminate any existing regulations by which the Department of Public Utilities approves utility companies' use of cost recovery mechanisms.

The proposed law would establish that, for any ratepayer who has not affirmatively opted in, total non-delivery-related charges may not exceed five percent of that ratepayer's total monthly bill.

Utility bills would be required to present delivery charges in a separate group from all other charges, with each delivery charge showing its statutory or regulatory basis, the administering agency or program, the amount for the current billing period, and the cumulative total paid year-to-date.

The Department of Public Utilities would be required to adopt regulations to verify the required consent to charges and to prevent unauthorized or bundled enrollment in utility programs.

The proposed law states that, if any of its parts were declared invalid, the other parts would stay in effect.