

PROPOSED AMENDMENT

HB 1002 # 22

DIGEST

Electric utility affordability. Replaces the term "budget billing plan" with "levelized billing plan" throughout the bill. Provides that the reconciliation mechanism for a levelized billing plan must be applied at such times during a calendar year to reflect typical seasonal patterns of electricity usage by residential customers, but not more than two times during a calendar year. (The introduced version of the bill provides that the reconciliation mechanism must be applied at least two times during a calendar year.) Prohibits an electricity supplier from referring to or promoting a levelized billing plan as a "budget billing plan" unless the levelized billing plan also provides other specified forms of relief for customers. Changes the dates by which an electricity supplier subject to a multi-year rate plan (MYRP) must file: (1) a customer affordability performance report; and (2) a service restoration performance report; with the Indiana utility regulatory commission (IURC) from February 1 of each year to March 1 of each year. Specifies that in a petition to the IURC for a multi-year plan, an electricity supplier must include certain information in its case in chief. Makes various changes to the factors used to determine an electricity supplier's base rates for the second and third rate years in the electricity supplier's MYRP. Provides that at any time before the expiration of an electricity supplier's approved MYRP, the IURC may, upon its own motion, or at the request of the office of utility consumer counselor or the electricity supplier: (1) examine the electricity supplier's rates under the MYRP; (2) conduct periodic reviews with opportunities for public hearings and comments; and (3) adjust the base rates or performance incentive mechanisms (PIMs) under the MYRP. (The introduced version of the bill provides that the IURC may conduct these activities only upon its own motion or at the request of the electricity supplier.) Replaces provisions that establish separate normalized and major event day (MED) service restoration performance metrics and associated PIMs for electricity suppliers subject to an MYRP with provisions that establish a single service restoration performance metric and associated PIM that are based on an electricity supplier's performance over time with respect to its system average interruption duration index (SAIDI), including MEDs. Removes language requiring an electricity supplier to annually allocate to the electricity supplier's low income customer assistance program (program) an amount equal to at least 50% of the amount of lost revenues recovered by the electricity supplier during the most recently concluded calendar year as approved program costs associated with an energy efficiency program offered by the electricity supplier. Requires an electricity supplier to annually fund its program in an amount equal to: (1) at least 0.2% of the electricity supplier's jurisdictional revenues for residential customers; plus (2) any contributions from governmental agencies or programs or from other third parties.

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| 1 | Page 1, line 3, delete ""budget" and insert ""levelized". |
| 2 | Page 2, line 15, delete "budget" and insert "levelized". |
| 3 | Page 2, line 19, delete "budget" and insert "levelized". |
| 4 | Page 2, line 23, delete "budget" and insert "levelized". |
| 5 | Page 2, line 24, delete "budget" and insert "levelized". |
| 6 | Page 2, line 27, delete "budget" and insert "levelized". |

- 1 Page 2, line 29, delete "budget" and insert "**levelized**".
- 2 Page 2, line 30, delete "budget" and insert "**levelized**".
- 3 Page 2, line 32, delete "least" and insert "**such**".
- 4 Page 2, line 33, delete "two (2)".
- 5 Page 2, line 35, delete "customers." and insert "**customers, but not**
- 6 **more than two (2) times during a calendar year.**".
- 7 Page 2, line 40, delete "budget" and insert "**levelized**".
- 8 Page 3, line 1, delete "budget" and insert "**levelized**".
- 9 Page 3, line 22, delete "budget" and insert "**levelized**".
- 10 Page 3, line 23, delete "budget" and insert "**levelized**".
- 11 Page 3, line 34, delete "budget" and insert "**levelized**".
- 12 Page 3, line 35, delete "budget" and insert "**levelized**".
- 13 Page 3, between lines 36 and 37, begin a new paragraph and insert:
- 14 "**(h) Except as provided in subsection (i), an electricity supplier**
- 15 **may not refer to or promote a levelized billing plan required under**
- 16 **this section as a "budget billing plan" in:**
- 17 **(1) the information required to be posted on the electricity**
- 18 **supplier's website under subsection (g);**
- 19 **(2) any customer bill that is issued after June 30, 2026; or**
- 20 **(3) any customer or external communications made after June**
- 21 **30, 2026.**
- 22 **(i) The prohibition set forth in subsection (h) does not apply**
- 23 **with respect to a billing plan that provides for levelized payments**
- 24 **if the plan also allows a customer to:**
- 25 **(1) pay current or past due amounts for utility service in**
- 26 **lower amounts, over an extended period of time, or according**
- 27 **to another schedule agreed upon by the electricity supplier**
- 28 **and the customer;**
- 29 **(2) defer the payment of current or past due amounts for**
- 30 **utility service to some future date; or**
- 31 **(3) receive a forbearance with respect to the payment of**
- 32 **certain amounts owed."**
- 33 Page 3, line 37, delete "(h)" and insert "**(j)**".
- 34 Page 3, line 41, delete "This section does" and insert "**Subsections**
- 35 **(g) and (j) do**".
- 36 Page 12, line 31, delete "(a)".
- 37 Page 13, delete lines 3 through 9.
- 38 Page 14, line 5, delete "February" and insert "**March**".
- 39 Page 14, line 32, delete "February" and insert "**March**".
- 40 Page 15, line 2, delete "days only," and insert "**days,**".

1 Page 16, line 26, delete "supplier's proposed:" and insert
2 **"supplier's:"**.

3 Page 16, delete lines 27 through 30, begin a new line double block
4 indented and insert:

5 **"(A) case in chief (as defined in IC 8-1-2-42.7(c), including**
6 **the electricity supplier's proposed:**
7 **(i) revenue requirement; and**
8 **(ii) base rates for each customer class; and**
9 **(B) proposed test period using forward looking periods the**
10 **close of which correspond with the end of the second and**
11 **third rate years in the electricity supplier's multi-year rate**
12 **plan;"**.

13 Page 16, line 37, after "test year" insert **"under IC 8-1-2-42.7(e)"**.

14 Page 17, line 3, after "established" insert **"using:**

15 **(A) changes in the electricity supplier's net plant in service**
16 **from the end of the immediately preceding rate year,**
17 **including any difference between:**

18 **(i) actual net plant in service at the end of the rate year;**
19 **and**

20 **(ii) the projected net plant in service used in the**
21 **electricity supplier's test period for that rate year; and**

22 **(B) changes in the net balance of any regulatory asset or**
23 **liability from the end of the immediately preceding rate**
24 **year."**

25 Page 17, delete lines 4 through 8.

26 Page 17, line 33, delete "Two (2) service restoration performance
27 metrics," and insert **"A service performance restoration metric**
28 **that:"**.

29 Page 17, delete lines 34 through 36.

30 Page 17, line 37, delete "are" and insert **"is"**.

31 Page 17, line 39, delete "are" and insert **"is"**.

32 Page 17, line 42, delete "are each used by the commission to
33 establish two (2)" and insert **"is used by the commission to establish**
34 **a service restoration PIM that applies to that rate year."**

35 Page 18, delete lines 1 through 2.

36 Page 18, line 3, delete "Two (2) service restoration PIMs" and insert
37 **"A service restoration PIM"**.

38 Page 18, line 4, delete "are" and insert **"is"**.

39 Page 18, line 5, delete "metrics" and insert **"metric"**.

40 Page 18, line 7, delete "provide" and insert **"provides"**.

- 1 Page 18, line 10, delete "operates".
- 2 Page 18, line 11, delete "independently of, and".
- 3 Page 18, line 12, delete "from," and insert "from".
- 4 Page 18, line 17, after "plan." insert **"In an electricity supplier's**
- 5 **first petition for a multi-year rate plan under this chapter, the**
- 6 **electricity supplier shall include a plan to incorporate planned**
- 7 **capital expenditures, subject to preapproval by the commission,**
- 8 **into the electricity supplier's subsequent multi-year rate plans**
- 9 **under this chapter."**
- 10 Page 19, between lines 1 and 2, begin a new line block indented and
- 11 insert:
- 12 **"(5) That the multi-year rate plan meets any other legal**
- 13 **requirement."**
- 14 Page 19, line 4, after "of" insert **"the office of utility consumer**
- 15 **counselor or"**.
- 16 Page 20, line 9, delete "normalized".
- 17 Page 20, delete lines 12 through 27, begin a new line block indented
- 18 and insert:
- 19 **"STEP ONE: Determine the electricity supplier's average**
- 20 **SAIDI over the course of the five (5) calendar years**
- 21 **immediately preceding the most recently concluded calendar**
- 22 **year, including major event days, for the electricity supplier's**
- 23 **system in Indiana as a whole.**
- 24 **STEP TWO: Determine the electricity supplier's SAIDI for**
- 25 **the most recently concluded calendar year, including major**
- 26 **event days, for the electricity supplier's system in Indiana as**
- 27 **a whole."**
- 28 Page 20, line 35, delete "normalized".
- 29 Page 20, line 37, delete "normalized".
- 30 Page 20, line 42, delete "normalized".
- 31 Page 21, delete lines 6 through 42.
- 32 Page 22, delete lines 1 through 5.
- 33 Page 22, line 27, after "metric;" insert **"and"**.
- 34 Page 22, line 28, delete "normalized".
- 35 Page 22, delete lines 29 through 30.
- 36 Page 22, line 38, after "metric;" insert **"and"**.
- 37 Page 22, line 39, delete "normalized".
- 38 Page 22, delete lines 40 through 41.
- 39 Page 24, line 15, delete "through:" and insert **"through**
- 40 **contributions of any money, services, or property that have been**

1 or will be provided at no cost to the electricity supplier by or
2 through any:

3 (A) governmental agency or program; or

4 (B) other third party, including voluntary charitable
5 contributions from nonprofit organizations or from
6 employees, customers, or shareholders of the electricity
7 supplier;

8 in support of the program.".

9 Page 24, delete lines 16 through 25.

10 Page 25, line 25, delete "6" and insert "(6)(1)".

11 Page 25, line 29, delete "6" and insert "(6)(1)".

12 Page 25, line 36, delete "(a)".

13 Page 25, line 37, delete "allocate to" and insert "fund".

14 Page 25, line 38, after "program" insert "in".

15 Page 25, line 39, delete "to at least fifty percent (50%) of the amount
16 of any lost" and insert "to:

17 (1) at least two-tenths percent (0.2%) of the electricity
18 supplier's jurisdictional revenues for residential customers;
19 plus

20 (2) any contributions from:

21 (A) governmental agencies or programs; or

22 (B) other third parties, including voluntary charitable
23 contributions from nonprofit organizations or from
24 employees, customers, or shareholders of the electricity
25 supplier.".

26 Page 25, delete lines 40 through 42.

27 Page 26, delete lines 1 through 11.

28 Page 27, line 35, after "allocated" insert "or contributed".

(Reference is to HB 1002 as introduced.)