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CAD Bulletin No. 2008-5

To: Maine Electric and Gas Transmission and Distribution Companies

From: Shawn C. Brooks, Senior Consumer Assistance Specialist

Subject: Clarification of Chapter 815 §9 F and §9 F(5)(c)

Date: April 11, 2008

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Since the issuance of CAD Bulletin 2008-4, which provided an informal CAD interpretation of several aspects of Chapter 815, utilities have asked additional questions and requested a CAD interpretation of these aspects as well. CAD's informal interpretation of these aspects of the rule and planned amendments to the rule are listed below.

- **Section 9(F): Payment Arrangements for Residential Customers**

  Question: This subsection states, "…if a utility and a customer cannot agree on the terms of a payment arrangement, including a customer's claim that the customer cannot afford to pay any amount towards the arrearage, the utility must refer the customer to the CAD for assistance." How will this work?

  Answer: Chapter 815 subsection 9(F) requires a utility to notify a customer of the customer's right to seek assistance from the CAD when the customer cannot negotiate a payment arrangement with the utility. Utilities were concerned that this subsection would result in the CAD receiving more complaints than it currently does - however - we don't interpret this any different than the current requirements of Chapter 81. Chapter 81 subsection 6(B)(5) states, "If a utility and a customer cannot agree on the terms of a payment arrangement, the CAD will establish a reasonable payment arrangement." For the CAD to be able to establish a payment arrangement, the customer would have to be referred to the CAD.

- **Section 9(F)(5)(c): Payment Arrangements for Residential Customers During the Winter Period and the Role of the CAD**

  Question: This subsection states, "If the customer and the utility are not able to agree on the terms of a payment arrangement, the utility shall inform the CAD…". How should utilities comply with this requirement?

  Answer: This requirement is not any different than the current requirements of Chapter 81. However, during discussions at the Chapter 815 implementation meeting held at the Commission on February 28, it was determined that this is not something the utilities have been doing under the current Chapter 81 requirements. Based on the fact that subsection 9(F) requires that utilities advise customers of their right to come to the CAD for assistance if they cannot agree on terms of a payment arrangement, we do not see the necessity for this requirement. Therefore, this subsection will be removed during the limited rulemaking that will be initiated by the Commission to amend other problematic aspects of the rule.

  If you have any questions, please feel free to contact me at (207) 287-4974, ext. 2005.