

**Effective 7/1/2022**

**54-7-13.6 Low-income assistance program.**

- (1) As used in this section:
  - (a) "Eligible customer" means an electrical corporation or a gas corporation customer:
    - (i) that earns no more than:
      - (A) 125% of the federal poverty level for bill payment assistance or 200% of the federal poverty level for any other low-income assistance; or
      - (B) another percentage of the federal poverty level as determined by the commission by order; and
    - (ii) whose eligibility is certified by the Utah Department of Workforce Services.
  - (b) "Low-income assistance" means:
    - (i) bill payment assistance;
    - (ii) replacement of an appliance with a more efficient appliance;
    - (iii) replacement of a wood burning appliance or wood burning fireplace with an efficient appliance; or
    - (iv) other energy efficient improvement to an eligible customer's residence.
- (2) A customer's income eligibility for the program described in this section shall be renewed annually.
- (3) An eligible customer may not receive low-income assistance at more than one residential location at any one time.
- (4) Notwithstanding Section 54-3-8, the commission may approve a low-income assistance program to provide low-income assistance to an eligible customer who is a residential customer of:
  - (a) an electrical corporation with more than 50,000 customers; or
  - (b) a gas corporation with more than 50,000 customers.
- (5)
  - (a)
    - (i) Subject to Subsection (5)(a)(ii), low-income assistance program funding from each rate class may be in an amount determined by the commission.
    - (ii) Low-income assistance program funding described in Subsection (5)(a)(i) may not exceed 0.5% of the rate class's retail revenues.
    - (iii) An electrical corporation or gas corporation may use low-income assistance program funding to pay:
      - (A) administrative costs associated with the electrical corporation's or gas corporation's program; or
      - (B) contractor or employee costs incurred in implementing or installing a measure described in Subsections (1)(b)(ii) through (iv).
  - (b)
    - (i) Low-income assistance program funding shall be provided through a surcharge on the monthly bill of each Utah retail customer of the electrical corporation or gas corporation providing the low-income assistance program.
    - (ii) The surcharge described in Subsection (5)(b)(i) may not be collected from a customer who is receiving bill payment assistance.
  - (c)
    - (i) Subject to Subsection (5)(c)(ii), the monthly surcharge described in Subsection (5)(b)(i) shall be calculated as an equal percentage of revenues from all rate schedules.
    - (ii) The monthly surcharge described in Subsection (5)(b)(i) may not exceed \$50 per month for any customer, adjusted periodically as the commission determines appropriate for inflation.

- (6)
- (a) An eligible customer shall receive low-income assistance in the form of one or more of the following:
    - (i) a billing credit on the monthly electric or gas bill for the customer's residence;
    - (ii) replacement of an appliance with a more efficient appliance;
    - (iii) replacement of a wood burning appliance or wood burning fireplace with an efficient appliance; or
    - (iv) other energy efficiency improvement to the eligible customer's residence.
  - (b) The allocation of low-income assistance to an eligible customer, as described in Subsection (6)(a), shall be determined by the commission based on:
    - (i) the projected funding of the low-income assistance program;
    - (ii) the projected customer participation in the low-income assistance program; and
    - (iii) other factors that the commission determines relevant.
  - (c) The low-income assistance funding level shall be adjusted concurrently with the final order in a general rate increase or decrease case under Section 54-7-12 for the electrical corporation or gas corporation providing the program or as determined by the commission.

Amended by Chapter 100, 2022 General Session