

AN ACT

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Columbia
Official Code

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Clean and Affordable Energy Act of 2008 to return control of the Residential Aid Discount program to the Public Service Commission and to provide for an increase in the assessment imposed upon the sales of the electric company to maintain the current form of the Residential Aid Discount program through fiscal year 2010.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Residential Aid Discount Subsidy Stabilization Amendment Act of 2010”.

Sec. 2. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

(a) Section 101(6) (D.C. Official Code § 8-1773.01(6)) is amended to read as follows:

Amend
§ 8-1773.01

“(6) “Existing low-income programs” means those programs operated under the names “LIHEAP Expansion and Energy Education” and “Residential Essential Service Expansion and Awareness Program”.”.

(b) Section 210(b)(4) (D.C. Official Code § 8-1774.10(b)(4)) is amended by striking the phrase “operated by DDOE” and inserting the phrase “established by the Commission” in its place.

Amend
§ 8-1774.10

(c) Section 211 (D.C. Official Code § 8-1774.11) is amended as follows:

(1) Subsection (b) is amended as follows:

Amend
§ 8-1774.11

(A) Paragraph (2) is amended to read as follows:

“(2) There is imposed upon the sales of the electric company an assessment of \$0.0000607 per-kilowatt hour; provided, that there is imposed upon the sales of the electric company an additional assessment of \$0.00069 per-kilowatt hour for the months of June through September 2010.”.

(B) Paragraph (4) is amended by striking the phrase “operated by DDOE” and inserting the phrase “established by the Commission” in its place.

(2) Subsection (c) is amended to read as follows:

“(c) The Energy Assistance Trust Fund shall be used solely to fund the existing low-income programs in the amount of \$2.3 million annually; provided, that the EATF shall also be

used to fund the Residential Aid Discount program in the amount of \$5.2 million in fiscal year 2010. The Commission may examine and reconcile any differences between the actual discount provided to customers under the Residential Aid Discount program in fiscal year 2010 and the amount collected through the assessment imposed by subsection (b) of this section. If the assessment for June through September 2010 is not sufficient to fund the program, the Commission may provide for an assessment that allows the electric company to recover the difference from its customers. If the assessment for June through September 2010 is greater than the actual discount, the Commission may require the electric company to return any overcollection to its customers.”.

(d) A new section 214 is added to read as follows:

“Sec. 214. Discount program for low-income electricity customers.

“The Commission shall establish, by order, a discount program for low-income electricity customers in the District. The Commission shall establish the eligibility, funding, and administrative guidelines for the program; provided, that the program shall not be funded from existing District funds, District revenue sources, or District assessments.”.

Sec. 3. Applicability.

Section 2(b) shall apply as of June 1, 2010.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia