

State of Rhode Island and Providence Plantations  
Department of Administration  
Division of Legal Services

October 15, 2012

**VIA HAND DELIVERY AND ELECTRONIC MAIL**

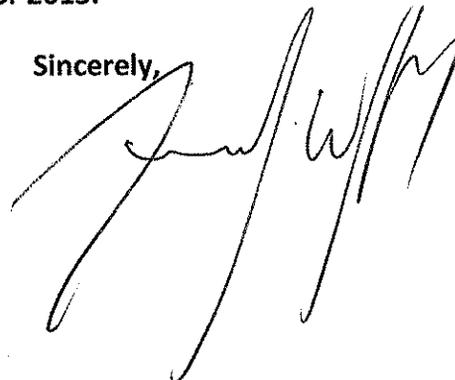
Luly E. Massaro  
Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, Rhode Island 02888

**RE: Henry Shelton Act  
LIHEAP ENHANCEMENT PLAN RATES**

**Dear Ms. Massaro:**

**The Rhode Island Office of Energy Resources, in accordance with 2011 Henry Shelton Act, section 39-1-27.12, herewith files an original and nine (9) copies of the LIHEAP Enhancement Plan Rates for 2013.**

Sincerely,

A handwritten signature in black ink, appearing to be "Paul W. [unclear]", written over the word "Sincerely,".

### **"LIHEAP" Enhancement Charge**

In accordance with the Henry Shelton<sup>®1</sup> act RIGL section 39-1-27.12, the Rhode Island Office of Energy Resources (OER) files the following rate as the LIHEAP<sup>2</sup> Enhancement Charge Rate(s) for 2013:

The LIHEAP Enhancement Charge shall be eighty three cents per month for each customer for the calendar year 2013, with the term "customer" defined as any person<sup>3</sup> taking service from a electric or gas distribution company<sup>4</sup> at a single point of electricity or gas delivery or electric or gas meter<sup>5</sup>, with a maximum total annual LIHEAP Enhancement Charge to any customer capped at ten dollars (\$10).

The LIHEAP Enhancement fund has generated \$5,353,394 thru September. The OER recommends that the funds collected from the rate be

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<sup>1</sup> Public Laws of 2011, Chapter 382 and 412 which were signed into law by Governor Chafee on July 13,2011.

<sup>2</sup> The LIHEAP is the Federal "Low Income Home Energy Assistance Program."

<sup>3</sup> "Person" includes an individual, trust, firm, joint stock company, corporation(including a quasi-government corporation), partnership, association, syndicate, municipality, political subdivision, municipal or state agency or other government agency, club, nonprofit agency or of any interstate body, and his, her, its, or their lessees, trustees, or receivers appointed by any court.

<sup>4</sup> The term "electric and natural gas distribution company" is defined in RIGL section 39-1-27.12(f)

<sup>5</sup> This definition of "customer" is conceptually congruent with the definition of "customer" in RIGL section 39-1-2 (9), which applies specifically to electric company customers.

deposited into the same single fund/account<sup>6</sup> as last year for consistency. The electric and gas company will provide a credit in an amount specified by OER to customer accounts that are receiving LIHEAP assistance payments.

The OER has filed its 2013 State LIHEAP plan with the Department of Health and Human Services, to define eligibility of a LIHEAP household at sixty percent State Median Income(SMI) consistent with section 6 of the Henry Shelton Act, RIGL section 39-2-1(d).

OER and Community Action agencies will continue to make designation of the qualifying customer accounts receiving LIHEAP payments through the 2013 LIHEAP eligibility criteria. Accounts receiving a 2013 LIHEAP benefit both Primary and/or Crisis will receive an additional credit from the LIHEAP Enhancement fund. OER will after consultation with Division of Public and Carriers, the electric and gas distribution company, community action agencies and other advocacy organizations representing the interests of LIHEAP eligible households, establish the amount of credits<sup>7</sup> to be applied to customers' accounts that are receiving LIHEAP payments.

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<sup>6</sup> The OER recommends the use of a single fund or account for LIHEAP enhancement funds for consistency and simplicity. OER would like to distribute all collected funds (gas and electric) in an equitable manner.

<sup>7</sup> Design of the appropriate credit amounts and their application is dependent in part both on the level of Federal appropriations, and on any integration of the LIHEAP Enhancement Plan provisions of section 2 of the Henry Shelton Act with the maintenance or restoration of utility service and arrearage payment provisions of section 6 of the Henry Shelton Act.