

CHAPTER 1174**GAS AND ELECTRIC UTILITY COST INFORMATION***H.F. 2316*

AN ACT requiring gas and electric public utilities to provide annual gas or electric energy costs for certain properties to certain persons when requested in writing and making civil penalties applicable.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 476.1A, unnumbered paragraph 2, Code 1987, is amended to read as follows:

However, sections 476.20, 476.21, 476.41 through 476.44, 476.51, and 476.56, and 476.61 and chapters 476A and 478, to the extent applicable, apply to such electric utilities.

Sec. 2. Section 476.1B, subsection 1, Code 1987, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. h. Enforcement of section 476.56.

Sec. 3. NEW SECTION. 476.56 ENERGY COSTS PROVIDED.

A gas or electric public utility shall provide, upon the request of a person who states in writing that the person is an owner of real property, or an interested prospective purchaser or renter of the property, which is or has been receiving gas or electric service from the public utility, the annual gas or electric energy costs for the property.

Approved May 6, 1988

CHAPTER 1175**ENERGY ASSISTANCE PROGRAMS FOR LOW-INCOME PERSONS***H.F. 683*

AN ACT relating to energy assistance to low income households by establishing a customer contribution fund, an emergency weatherization fund, an energy crisis fund and an affordable heating payment program pilot project, making civil penalties applicable, and providing an appropriation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 476.1A, unnumbered paragraph 2, Code 1987, is amended to read as follows:

However, sections 476.20, 476.21, 476.41 through 476.44, 476.51, and 476.61, and 476.66 and chapters 476A and 478, to the extent applicable, apply to such electric utilities.

Sec. 2. Section 476.1B, subsection 1, Code 1987, is amended by adding the following new paragraph:

NEW PARAGRAPH. h. Enforcement of section 476.66.

Sec. 3. NEW SECTION. 476.66 CUSTOMER CONTRIBUTION FUND.

1. The utilities board shall adopt rules which shall require each electric and gas public utility to establish a fund whose purposes shall include the receiving of contributions to assist

the utility's low-income customers with weatherization and to supplement the energy assistance received under the federal low-income heating energy assistance program for the payment of winter heating bills.

2. The rules shall require each utility to periodically notify its customers of the availability and purpose of the fund and to provide them with forms on which they can authorize the utility to bill their contribution to the fund on a monthly basis.

3. The rules shall permit the fund to accept matching funds from persons or organizations who wish to provide assistance for customers of the utility.

4. The utility may be reimbursed by the fund for the administrative costs of the billings, disbursements, notices to customers, and financial recordkeeping. However, such reimbursement shall not exceed five percent of the total revenues collected.

5. The utility shall establish a board or committee to determine the appropriate distribution of the funds. The board or committee shall include representatives from community or regional organizations which are active in assisting citizens with payment of their winter heating bills.

6. The rules established by the utilities board shall require an annual report to be filed for each fund. The utilities board shall compile an annual statewide report of the fund results. The division of community action agencies of the department of human rights shall prepare an annual report of the unmet need for energy assistance and weatherization. Both reports shall be submitted to the appropriations committees of the general assembly on the first day of the following session.

7. Existing programs to receive customer contributions established by public utilities shall be construed to meet the requirements of this section. Such plans shall be subject to review by the utilities board. If determined not to be in compliance with the provisions of this section, they shall be given until July 1989 to modify their operation so as to be in compliance.

Sec. 4. Section 556.18, subsection 3, Code 1987, is amended to read as follows:

3. After July 1, ~~1983~~ 1988, the treasurer of state shall annually credit the first one hundred fifty thousand dollars of all funds moneys received under section 556.4, after a proportional amount has been deducted for the trust fund under subsection 1 and any costs have been deducted under subsection 2, to the energy research and development fund created under section 93.14, and shall credit all additional moneys received under section 556.4 to the energy crisis fund created under section 601K.102.

Sec. 5. NEW SECTION. 601K.101 EMERGENCY WEATHERIZATION FUND.

1. The division of community action agencies of the department of human rights shall identify all participants in the low-income home energy assistance program for the 1987-1988 winter heating season whose household income was less than seventy-five percent of the poverty level.

2. The division shall conduct within each community action agency an inventory of the residences of these individuals to determine the number of residences eligible for weatherization under the two programs currently administered by the division but which will not be weatherized in the next twelve months due to the current priorities imposed by the federal programs.

3. One and one-half percent of the total amount of funds appropriated by 1988 Iowa Acts, Senate File 2323, to the division of community action agencies for the fiscal year beginning October 1, 1988, for the low-income home energy assistance block grants, shall be expended by the division for the operation of the program under this section. The one and one-half percent shall be taken from those funds to be used for low-income residential weatherization or other related home repairs for low-income households; however, no less than ten percent of the total amount of funds appropriated for the low-income home energy assistance block grants shall be expended by the division for other low-income residential weatherization or related home repairs for low-income households.

4. The division shall allocate the available funds among the nineteen community action agencies and shall establish weatherization goals for each agency based upon the inventory in subsection 2 of this section. The division shall give priority to weatherizing these residences.

5. The division shall submit a report to the general assembly on February 1, 1989. The report shall include the number of residences identified as eligible for weatherization in this project, the number of residences weatherized from July 1, 1988, to December 31, 1988, the average cost per dwelling weatherized, and the range of costs for individual weatherizations. In addition, the report shall include the department's recommendation for a program to complete the weatherization of the remaining residences in this category. The report shall also include an inventory of the number of residences not weatherized for the 1987-1988 participants whose household incomes fall between seventy-five percent and one hundred percent of the poverty level.

Sec. 6. NEW SECTION. 601K.102 ENERGY CRISIS FUND.

1. An energy crisis fund is created in the state treasury. Moneys deposited in the fund shall be used to assist low-income families who qualify for the low-income heating energy assistance program to avoid loss of essential heating.

2. The fund may receive moneys including, but not limited to, the following:

a. Moneys appropriated by the general assembly for the fund.

b. Moneys credited to the fund under section 556.18.

c. After July 1, 1988, unclaimed patronage dividends of electric cooperative corporations or associations shall be applied to the fund following the time specified in section 556.12 for claiming the dividend from the holder.

d. The fund may also receive contributions from customer contribution funds established under section 476.66.

3. Under rules developed by the division of community action agencies of the department of human rights, the fund may be used to negotiate reconnection of essential utility services with the energy provider.

Sec. 7. AFFORDABLE HEATING PAYMENT PROGRAM PILOT PROJECT.

1. The division of community action agencies of the department of human rights in cooperation with the department of natural resources and the utilities board shall conduct a two-year pilot project from October 1, 1988, through September 30, 1990, to do all of the following:

a. Determine the most economical and effective means of maintaining low-income Iowans' access to heating fuels at a cost that is within their means.

b. Develop more effective programs for weatherizing residences and achieving energy conservation.

2. The pilot projects shall:

a. Involve at least one provider of each of these sources of heat in the state:

(1) Natural gas.

(2) Electricity.

(3) Deliverable fuels.

Providers shall be selected on a voluntary basis. The scope of the project shall include a statistically valid demographic region but will not necessarily include all customers of the selected energy provider in the state. If a provider has a pilot project in progress, that project may be selected for a pilot project under this section.

b. Provide a schedule or formula under which funds appropriated by this Act are used to make up the difference between what a low-income family or individual pays toward heating costs plus federal low-income home energy assistance payments and either the actual heating cost or the cost determined by rule by the division of community action agencies, department of human rights, as the cost of reasonable heating fuel consumption for the customer, considering

size of family, location of residence, and such other factors as may be considered appropriate by the division.

c. Include programs designed to promote the use of energy conservation strategies by the participant. These programs shall be cost-effective.

d. Include a plan for affordable budget level repayment of heating provider bills in arrears at the time a customer enters an affordable heating payment program.

e. Provide for data gathering and evaluation of the projects to determine the effect of the program on residents who participate in comparison with residents in areas where such programs are not available.

f. Be designed and implemented to operate within funds appropriated or budgeted for the projects.

3. An advisory board is created to provide guidance in the development of the pilot programs and their administration.

a. The advisory board shall include the administrator of the division of community action agencies, who shall serve as chairperson of the board, the director of the department of natural resources, or the director's designee, the chairperson of the utilities board, or the chairperson's designee, the consumer advocate, or the consumer advocate's designee, and the following members to be appointed by the governor to serve for the two-year term of the pilot projects:

(1) A representative of the investor-owned utility industry.

(2) A representative of a municipal utility.

(3) A representative of a rural electric cooperative.

(4) A representative of dealers of deliverable fuels.

(5) Representatives of two local community action agencies.

(6) Representatives of two private advocacy or assistance agencies.

The speaker of the house of representatives, the senate majority leader, and the minority leaders of the house of representatives and senate shall each name a member of the general assembly to serve on the advisory board without vote.

b. Advisory board members who are not members of the general assembly shall serve without compensation, but shall be reimbursed for actual expenses.

c. The advisory board shall provide the general assembly with an evaluation of the first year of the program and recommendations for further legislative action no later than January 15, 1990.

4. The division of community action agencies of the department of human rights shall adopt rules pursuant to chapter 17A regarding eligibility for customer participation, means of calculating assistance payments, and procedures for provider participation under the pilot projects.

Approved May 6, 1988

CHAPTER 1176

DEMOLITION INSURANCE RESERVES FOR PROPERTY WITHIN CITIES

H.F. 382

AN ACT to reserve a specific amount of a claim payable on an insurance policy on property located within the corporate limits of a city for the cost of demolition of the property by the city.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 515.150 DEMOLITION RESERVE ON FIRE AND CASUALTY CLAIMS ON PROPERTY.**