

(I) THE TOTAL AMOUNT OF NEED, AS DETERMINED BY THE COMMISSION, FOR ELECTRIC CUSTOMERS WITH ANNUAL INCOMES AT OR BELOW 150% OF THE FEDERAL POVERTY LEVEL AND THE BASIS FOR THIS DETERMINATION; AND

(II) THE PERCENTAGE OF NEED, AS DETERMINED BY THE COMMISSION, BUT AT A MINIMUM OF 50%, THAT SHOULD BE FUNDED THROUGH THE UNIVERSAL SERVICE PROGRAM AND THE BASIS FOR THIS DETERMINATION;

(3) FOR LOW-INCOME WEATHERIZATION, THE AMOUNT OF FUNDS NEEDED, AS DETERMINED BY THE COMMISSION, FOR MEASURES THAT REDUCE CONSUMPTION OF ENERGY BY ELECTRIC CUSTOMERS WITH ANNUAL INCOMES AT OR BELOW 150% OF THE FEDERAL POVERTY LEVEL AND THE BASIS FOR THIS DETERMINATION;

(4) THE AMOUNT OF FUNDS NEEDED, AS DETERMINED BY THE COMMISSION, TO RETIRE ARREARAGES THAT WERE INCURRED PRIOR TO THE INITIAL IMPLEMENTATION DATE BY ELECTRIC CUSTOMERS WITH ANNUAL INCOMES AT OR BELOW 150% OF THE FEDERAL POVERTY LEVEL AND THE BASIS FOR THIS DETERMINATION;

(5) THE IMPACT ON CUSTOMERS' RATES, INCLUDING THE ALLOCATION AMONG CUSTOMER CLASSES, FROM COLLECTING THE TOTAL AMOUNT RECOMMENDED BY THE COMMISSION UNDER ITEM (1) OF THIS SUBSECTION; AND

(6) THE IMPACT OF USING OTHER FEDERAL POVERTY LEVEL BENCHMARKS ON COSTS AND THE EFFECTIVENESS OF THE UNIVERSAL SERVICE PROGRAM.

(D) THE TOTAL AMOUNT OF FUNDS TO BE COLLECTED FOR THE UNIVERSAL SERVICE PROGRAM IN EACH OF THE 3 YEARS FOLLOWING THE INITIAL IMPLEMENTATION DATE SHALL BE \$34,000,000, ALLOCATED IN THE FOLLOWING MANNER:

(1) \$24.4 MILLION SHALL BE COLLECTED FROM THE INDUSTRIAL AND COMMERCIAL CLASSES; AND

(2) \$9.6 MILLION SHALL BE COLLECTED FROM THE RESIDENTIAL CLASS.

(E) (1) THE COMMISSION SHALL RECOMMEND A TOTAL AMOUNT OF FUNDS TO BE USED FOR THE UNIVERSAL SERVICE PROGRAM FOR THE FOURTH YEAR, AND EACH YEAR THEREAFTER.

(2) THE RECOMMENDATION OF THE COMMISSION MAY ONLY BE MADE AFTER CONSIDERATION OF:

(I) INFORMATION RELATED TO THE FUNDING FOR THE FIRST 3 YEARS;

(II) THE RETIREMENT, DURING THE FIRST 3 YEARS, OF ARREARAGES INCURRED PRIOR TO THE INITIAL IMPLEMENTATION DATE; AND