

# State–Tribal Collaboration: Utility Programs

**Many utilities across the country—investor-owned utilities, cooperatives, and municipal utilities—operate programs designed to support Tribal and other customers. These programs may be established by the utility or required by the state. These programs differ in eligibility requirements, but all seek to provide financial assistance to customers having difficulty paying their electric bill. These programs are available to all eligible customers.**

Tribes that exercise their sovereignty with a utility authority can work with utilities to develop Tribal-specific programs that address needs of residents on Tribal land.<sup>1</sup> While the benefits may be like other utility or state programs, it is important to recognize that Tribal approaches to community support may differ from mainstream models. Programs codeveloped with Tribes should reflect Tribal culture and priorities and support Tribal self-determination.

Common features of these programs include:

- Moratorium on disconnections during extreme weather
- Special rates
- Weatherization and energy efficiency opportunities.

These programs are funded through various methods, including federal funding provided directly to the state or Tribe (e.g., Low-Income Home Energy Assistance Program).

## Examples of Programs by Non-Tribal Utilities

- Southern California Edison<sup>2</sup> offers qualifying individuals and households of two or more people 32.5% off their electric bills through the California Alternate Rate for Energy program. The Family Electric Rate Assistance program provides qualifying families and households of three or more an 18% discount on their electric bills.
- Customers of United Way Southern Nevada<sup>3</sup> who are age 62 and over and meet income guidelines qualify for a program that will pay a past-due energy bill once during a 12-month period.
- Consumers Energy Michigan<sup>4</sup> allows customers who are income-eligible to participate in a 24-month affordable payment plan with a fixed monthly bill that will also pay down past due balances.

## Best Practice

While these programs include customers on Tribal lands, investor-owned utilities could consider developing Tribal consultation protocols and codesign discount programs that reflect Tribal specific needs including cost structures for off-grid homes, lack of access to weatherization, and high energy burden in rural Indian Country.

<sup>1</sup> Schaff, Margaret. 2020. *Regulation of Electric Utilities on Indian Reservations*. <https://www.eba-net.org/wp-content/uploads/2023/02/10-Schaff261-283Final.pdf>.

<sup>2</sup> <https://www.sce.com/residential/assistance/fera-care>

<sup>3</sup> <https://www.nvenergy.com/account-services/assistance-programs/project-reach>

<sup>4</sup> <https://www.consumersenergy.com/residential/account-and-billing/billing-and-payment/payment-assistance/care-program>

## Example of Non-Tribally Owned Utility With a Specific Tribal Program

- Bonneville Power Administration<sup>5</sup> offers grants to Tribes to provide no- or low-cost energy efficiency projects to households at or below 200% of the federal poverty level. This is an example of a direct-to-Tribe federal assistance program that bypasses state intermediaries and prioritizes Tribal utilities that have regulatory autonomy and are pursuing energy sovereignty goals.

## Examples of Tribal Utility Programs

- Navajo Tribal Utility Authority<sup>6</sup> has two offerings for customers: the Senior Discount Program offers a 10% discount to those 60 or older with an annual income of less than \$21,000; and Life-Support Discount that offers a 10% discount to customers with serious health conditions that would be life threatening if utility service was terminated.
- Umpqua Indian Utility Cooperative<sup>7</sup> offers a residential electricity monthly fixed charge reduction of 43% (from \$24.61 to \$13.91). This demonstrates the Tribal utility's ability to set its own rates based on community affordability.
- Gila River Indian Community Utility Authority<sup>8</sup> allows for delayed disconnections due to non-payment during excessive heat or cold. The utility also prioritizes customers with life-support equipment during outages. Both programs are a model for incorporating health concerns into utility operations.
- Tohono O'odham Utility Authority<sup>9</sup> uses revenue from gaming to provide a utility bill subsidy for elderly and other qualifying households. This illustrates the use of Tribal enterprise revenues to support community welfare.

## Other Issues to Consider

- Many Tribes are now exerting data sovereignty or the right to control, maintain, and keep data confidential. The Tribal utility or utility authority should maintain control over household-level data collected as part of these types of programs, including consent over how the utility uses the information, income verification procedures, and enrollment information.

- Many Tribal homes lack grid connection. The U.S. Office of Indian Energy conservatively estimates that approximately 17,000 homes or 54,400 people are without access to electricity across Indian Country.<sup>10</sup> Utilities could consider how their programs account for off-grid or remote homes that need solar and storage, microgrids, or fuel assistance, not just rate discounts.
- Remember, Tribes are not political subdivisions of the state. State regulators and agencies must recognize Tribal governments as independent sovereigns, not local governments or extensions of their authority.

States and utilities could consider creating Tribal-specific programs that respond to the Tribe's specific needs, and that helps connect homes and buildings that are off-grid to be grid connected.

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<sup>5</sup> <https://www.bpa.gov/energy-and-services/efficiency/ee-sectors/energy-efficiency-income-qualified>

<sup>6</sup> <https://www.ntua.com/customer-information.html>

<sup>7</sup> <https://www.umpquaindianutility.com/services/>

<sup>8</sup> <https://gricua.net/customer-service/>

<sup>9</sup> <https://toua.net/utility-assistance-program/>

<sup>10</sup> Tribal Electricity Access and Reliability, Report to Congress, August 2023

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