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Environment and Natural Resources Committee

Government Oversight Committee

Testimony of Senator Richard A. Bennett

In Opposition to

LD 1959, An Act To Ensure Transmission and Distribution Utility Accountability

Committee on Energy, Utilities and Technology

February 22, 2022

Senator Lawrence, Representative Berry and members of the Committee on Energy, Utilities, and Technology. I am Senator Rick Bennett of Oxford, and I have the honoring of serving 13 towns in Oxford and Cumberland Counties in the Maine Senate. I come before you in opposition to LD 1959, “An Act To Ensure Transmission and Distribution Utility Accountability.”

The title of this legislation is a sham. The bill ensures nothing, certainly not the accountability of our foreign-owned utility monopolies. This bill actually heads our energy policy in the wrong direction to reform, doubling down on the foundational problem of the current system.

I am reminded of Juvenal’s famous phrase: *Quis custodiet ipsos custodes*. Who watches the watchers? In the present context, who looks out for Maine consumers as they see their electric rates skyrocket? As they continue, with justification, to disbelieve their electric bills, to dispute their metered usage? And to wonder why reliability is so poor? Why is nobody held accountable?

As a businessman with some success turning around struggling Maine enterprises, I have to observe first that the usual accountabilities of the free market economy are not available to fixing our investor-owned utilities. Their customers are captive, they have baked in profits, and there is no competition. If CMP were not a monopoly, they would have been driven out of business long ago.

We don’t need the two-year report card proposed by this bill. The results are in. According to the U.S. Energy Information Administration, CMP customers suffer from the most outages in the country, bad reliability, and the 11th highest costs. J.D. Power’s research has shown that year-after-year-after-year CMP’s customers rate it the worst electric utility in the country. If you don’t believe the independent research, just ask your constituents what they think.

Our unelected and unaccountable PUC already has the power to create performance standards and decide if a utility’s failure to meet them warrants penalty. Trying to create accountability of these electric monopolies through consolidating more power to the Governor’s office and the

PUC is the path of this proposal. It's wrong-headed and ignores the fundamental problem: foreign investor ownership.

We all acknowledge we are driving toward a carbon-neutral, electricity-powered economy. But the foreign governments and foreign corporations owning and operating our electric utility monopolies in Maine have been happy collecting ratepayer checks while ignoring this future. As Versant ratepayers pave sidewalks in Calgary, Canada, and CMP ratepayers underwrite the Chairman of Iberdrola's legal defense against political corruption charges in Spain, the money Maine needs to invest in our grid is drained away.

Last year, this committee endorsed and the Legislature enacted LD 1708, which the Governor vetoed, which held the promise of true accountability. In contrast to the bill before you today, that proposal, now a ballot measure, opens the door to energy democracy. While keeping full PUC oversight, it empowers all Maine people with an elected and expert board accountable directly to us, conducting business openly, here in Maine, and in the light of day. Without such provisions, the Governor's bill here before you is fatally flawed.

The real disservice of this bill is the false hope it offers at a time when Mainers need something real. We need to restore honesty and trust in our electric system and in our political system. We will not achieve through dilatory half-measures. Mainers are a patient people; we are slow to anger. But we have come to realize the game is rigged.

That's why a non-profit, non-governmental, ratepayer-owned utility model is our best shot to achieve lower cost, reliable power, under local control – managed on behalf of Mainers and accountable only to us.