



STATE OF MAINE
PUBLIC UTILITIES COMMISSION

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February 21, 2024

Honorable Mark Lawrence, Senate Chair
Honorable S. Paige Zeigler, House Chair
Members, Joint Standing Committee on Energy, Utilities and Technology
100 State House Station
Augusta, Maine 04333

Re: LD 2193, An Act to Improve Access to Affordable Wireless Communications by Allowing the Public Utilities Commission to Designate Eligible Telecommunications Carriers

Dear Senator Lawrence, Representative Zeigler and Members of the Joint Standing Committee on Energy, Utilities and Technology:

The Maine Public Utilities Commission (Commission) is submitting this written testimony to provide some background information relating to LD 2193, An Act to Improve Access to Affordable Wireless Communications by Allowing the Public Utilities Commission to Designate Eligible Telecommunications Carriers.

LD 2193 specifies that the Commission may designate any commercial mobile service provider or telecommunications company as an eligible telecommunications carrier (ETC) for the limited purposes of receiving federal universal service support and offering services supported by federal universal service support mechanisms. While the Commission believes we could exercise this authority without express authorization in statute, it is helpful to have our authority explicitly defined.

Prior to 2013, the Commission did designate ETCs solely for the purpose of qualifying for Lifeline or other low-income support. However, when the Commission amended its Chapter 206 (ETC) and Chapter 294 (Lifeline) rules in 2013, the Commission determined that there was no longer any advantage to Maine consumers, financial or otherwise, for the Commission to continue these designations and that Maine consumers could still benefit from these programs through administration by the FCC. At the time of this decision there were a lot of companies seeking ETC designation; however, several companies were not acting in good faith, not following program requirements and were providing subpar service just to collect federal universal service funds. Since the Commission did not administer the Lifeline program, we had no recourse to ensure compliance with program requirements.

It is our understanding that since this time the FCC has instituted additional requirements to diminish fraudulent activities, and the Commission will reevaluate our 2013 decision if LD 2193 is enacted to see if there is value in the Commission making these designations again in the future.

We will be available to answer any questions at the work session.

Sincerely,

A handwritten signature in black ink, appearing to read "Deirdre Schneider". The signature is fluid and cursive, with the first name being more prominent.

Deirdre Schneider
Legislative Liaison
Maine Public Utilities Commission