SIERRA CLUB
MAINE CHAPTER

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To: Joint Committee on Energy, Utilities and Technology
From: Andrew Blunt, Sierra Club Maine
Date: April 30, 2025
Re: **Testimony in Support of L.D. 861:** *An Act to Prohibit the Public Utilities Commissioners and Public Advocate from Employment with Regulated Entities and Certain Government Agencies Following Service*

Dear Senator Lawrence, Representative Sachs, and Members of the Joint Committee on Energy, Utilities and Technology,

I write on behalf of the Sierra Club Maine Chapter, representing over 22,000 supporters and members statewide. Founded in 1892, Sierra Club is one of our nation's oldest and largest environmental organizations. We work diligently to amplify the power of our 3.8 million members nationwide as we work towards combating climate change and promoting a just and sustainable future for all people. To that end, we urge you to vote "Ought to Pass" on L.D. 861.

The bill before you establishes a one-year cooling-off period during which senior officials in the Public Utilities Commission (Commissioners and the Public Advocate) may not work for entities or their affiliates that are regulated or overseen by them during their service.

Too often, we see a "revolving door" of individuals moving regulatory positions and private-sector employment with the very entities that they spent time regulating. Under current law, officials in their capacity as public servants may be influenced or may alter their official behavior due to implicit or explicit promises of future employment from companies that fall under their regulatory umbrella. It is easy to see how promises of employment, or even aspirations of employment, may shift a regulator's position on issues so as to enhance their future job prospects.

Nationwide, this is seen often in the energy and utility sector. A 2017 study found that 12 out of 15 former commissioners of the Federal Energy Regulatory Commission (FERC) who retired since 2000 took jobs in the fossil fuel industry as executives, directors, partners, lobbyists, or consultants. Similarly in Pennsylvania, that same study showed four out of five commissioners on the Public Utilities Commission had close ties to the fracking industry.[1]

And Maine is no exception. Carlisle McLean, who served as a PUC Commissioner from 2015-2017, left her role at the PUC in June 2017, and took a position at Avangrid (which owns Central Maine Power) as Senior Counsel in August 2017.[2] While that transition alone does not indicate or suggest any sort of foul-play, it does raise legitimate questions. And under L.D. 861, it would not have been legal.

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[1] https://powerlines101.org/wp-content/uploads/2021/05/PowerLinesReport0429.pdf
[2] https://www.centralmaine.com/2017/08/08/ex-puc-commissioner-takes-job-with-energy-company/

At its worst, this revolving door can create a phenomenon known as “regulatory capture,” or when a regulatory agency's actions and decisions, which are intended to protect the public, instead favor the interests of the regulated industry.

Maine people deserve public servants who are accountable to the will of the people. That means that our government agencies should be free from undue influence, corruption, and the appearance of corruption. While a cooling off period as established in L.D. 861 for public servants at the PUC and OPA is not a panacea, it is a step in the right direction–towards a more responsible government.

For the above reasons, we urge an ‘Ought to Pass’ vote on L.D. 861.

Sincerely,

Andrew Blunt
Sierra Club Maine Chapter
Legislative and Political Strategist