



Testimony in Support of L.D. 861, Sponsor Amendment, “An Act to Prohibit the Public Utilities Commissioners and Public Advocate from Employment with Regulated Entities and Certain Government Agencies Following Service”

May 1, 2025

Senator Lawrence, Representative Sachs, and Committee Members:

My name is Seth Berry, I am Executive Director of Our Power, and I live in Bowdoinham. Our Power is a Maine nonprofit advocating statewide for energy democracy. We support this legislation because it addresses a major problem area for U.S. and Maine public utility regulation. Often called the “revolving door,” it is a very serious problem of appearance and public trust, and too often, of real consequence.

I first served on your committee in 2007 and 2008. Except for a two-year hiatus, I continued in the Legislature until 2022 and served a total of 6 more years on EUT, each of these as House Chair. During that time, I saw several public utility regulators and one public advocate go on in just weeks to work for the entities they had regulated.

In two instances, the individual voted in a decision 1) favorable to a regulated entity, 2) involving billions of dollars, and 3) impacting thousands of Mainers indefinitely. Each of these regulators then immediately took a lucrative job or contract with the regulated entity.

If anything, given what is at stake, the amendment before you should be strengthened. Rather than a one-year sabbatical, Maine should require a 5-year (60 month) stayout. Rather than \$15,000, the maximum penalty should be \$75,000.

After all: utility regulators are one of three votes, not 151 or 35. There is more at stake here than in allowing a former legislator to lobby, which as you know is banned for a year under current law. As you work this bill, please consider carefully the degree of integrity and trust you think necessary for our regulators and public advocates to steer Maine’s energy, telecom and water sectors successfully into the future.

In sum, the sponsor’s amendment to LD 861 is a well-crafted first step towards improved appearances, accountability and independence in our public utility regulatory system. Our Power urges you to support it.