



May 14, 2025

Honorable Mark Lawrence, Senate Chair
Honorable Melanie Sachs, House Chair
Joint Legislative Committee on Energy Utilities and Technology
100 State House Street
Augusta, ME 04333

RE: Opposition to LD 1949 An Act Regarding Energy Fairness

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

The Portland Water District (PWD or the “District”) is a quasi-municipal utility created by private and special law of the State Legislature in 1908 to provide water to the people of greater Portland. Today, PWD provides drinking water to over 200,000 people in 11 Cumberland County communities, and wastewater treatment services to six of those communities. The affairs of PWD are managed by a Board of Trustees composed of 11 members, all popularly elected by a plurality of the voters from the communities they represent. We do not have shareholders that profit from our activities, and therefore, our sole interest is meeting the needs of our customers.

PWD hereby submits its opposition to LD 1949 – An Act Regarding Energy Fairness. The title of the bill implies that the bill relates to energy. Under its provisions, however, water utilities, including PWD, will be subject to its terms, many of which should not apply to a consumer-owned utility.

Under Part A of the bill, the Public Utilities Commission would be required to craft a rule for the disconnection of utilities for residential customers that would prohibit a utility from disconnecting service for non-payment if a customer or member of their household is 65 years of age or older, or younger than 12 months old, or is a dependent or incapacitated adult if a customer is enrolled in or has begun the process of enrolling in an assistance program administered by the Commission or a state agency. While PWD has limited information required by this legislation, requiring a utility to collect this information is burdensome and might be considered an invasion of customers’ privacy. In addition, the statute does not define what an “assistance program” is. Does a low-income assistance program established by a consumer-owned utility meet the intent of this legislation? It does not appear to, but to meet the intent of the legislation it could.

Part B of the bill deals with administrative charges. A-1 (Fines and Penalties), E (costs associated with travel) and 6 (Violations;penalties) would prohibit certain types of charges from being included in a utility’s rates. However, for consumer owned utilities, there are no other funds to pay these charges other than the funds collected from customers through its rates. The requirement that these charges be broken out on the bill is burdensome. Consumer owned utilities should therefore be exempted from these provisions.

Part C of the bill would require the PUC to enact a rule requiring quarterly reporting of certain types of information. Pursuant to Chapter 660 of the Rules of the Public Utilities Commission, water utilities are

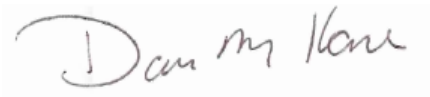
required to report credit and collection information annually to the PUC. The information is used to track and evaluate the effectiveness of residential and non-residential credit and collection programs. There is no need to submit such reports quarterly—it is burdensome to the utility as well as the PUC, with no real benefit to utility consumers.

This bill is complicated, and attempts to apply the same standards and requirements to electric, gas, water and telephone utilities. Consumer owned utilities should not be rolled into most of the facets of this bill, as they do not have shareholders to absorb the costs of many of its provisions. Complying with the data collection requirements of the bill will cause a customer's rates to increase as consumer owned utilities seek to comply.

For these reasons, we urge the Committee to vote Ought Not to Pass on this legislation.

Thank you for your consideration

Sincerely,

A handwritten signature in dark ink, reading "David Kane". The signature is written in a cursive, flowing style. The first name "David" is written with a large, looped 'D', and the last name "Kane" follows in a similar cursive script.

David Kane
Director of Administration