

TO: Senators Tipping and Lawrence; Representative Sachs, and
Member of the Energy, Utilities and Technology Committee
FROM: Nancy LaPlaca, Third Act
RE: Support for L.D. 1963, An Act to Protect and Compensate Public
Utility Whistleblowers
DATE: May 15, 2025

Thank you Senator Tipping, Senator Lawrence, Representative Sachs, and
Members of the Committee for this opportunity to comment on L.D. 1963.

My name is Nancy LaPlaca, and I work with Third Act, a three year old
nonprofit founded by author, journalist and climate activist Bill McKibben. I
have been working on electric and gas utility issues for 20 years, and help
with policy and clean energy advocacy in over 20 states for Third Act.

Electric and gas utilities in the U.S. have an enormous amount of political
power. Unfortunately, in far too many instances this power has led to blatant
corruption and self-dealing by corporate incumbent monopoly utilities. This
has been well-documented by academics and researchers. In fact, our
current utility model was purposefully designed by the utility industry nearly
100 years ago to maximize its profits and influence.

Until fairly recently - the last 15 or 20 years - there were not many
cost-effective alternatives to fossil fueled generation from coal, natural gas
and oil. If we counted the staggering damages from fossil-fueled electricity
we would see just how foolish we are to continue to burn coal and gas for
electricity.

However, the paradigm from the past 100 years of large-scale thermal fossil
generators providing all electricity is waning. Inefficient fossil generators are
being replaced with solar, wind, energy efficiency, geothermal, and batteries.
The longer we take to transition to these obviously superior energy sources,
the more behind we will be. Solar is the cheapest electricity on Earth, and
solar+batteries are beating the cost of new gas plants over and over. Even
the CEO of NextEra said recently that using gas to run data centers is
foolish.

Solar electricity is the cheapest electricity on Earth. Solar and batteries have
saved the state of Texas nearly \$30 billion over a few years on fuel costs,

and also prevented blackouts and power outages during both heat waves and cold snaps. As you know, batteries allow the sun's energy to be stored on used on demand.

Broadly speaking, utilities lack accountability. This bill would go a long way toward solving this problem. Here are the reasons Third Act supports this bill:

- Whistleblower protections work. We know this from many different federal agencies, and we know how to structure programs so that they result in real value for the public.
- Maine's two investor owned utilities are not very popular with folks in Maine. Although the IOUs have raised costs, electric reliability has decreased. Electricity is a basic need, right behind food, water and shelter. Maine deserves better.
- Utilities have far more money and lawyers than regulators or advocacy organizations. With decades of experience in regulatory filings, utilities can hide or bury costs fairly easily. Although Maine has excellent regulators, they can be constrained by lack of staff and specific expertise.
- Electricity and gas are major sources of toxic pollution and climate-accelerating greenhouse gases, as well as basic necessities. In this era of great change in the electricity industry, we need more transparency and the insights that whistleblowers can bring.
- Utilities benefit from monopoly status, with profits pretty much guaranteed. Just because utilities have enjoyed this monopoly status for the past 50-100 years doesn't mean they get a monopoly for life. Do Maine's utilities servie the people, or are the people of Maine a cash cow for utilities?
- Maine's current protections for whistleblowers are inadequate. Whistleblowers have much to lose in speaking the truth, and considering the stakes, we must do all we can to ensure we are getting truthful information from utilities.
- Maine can be a leader here. Scandals in Ohio brought down the powerful Speaker of the House, and exposed the ugly underbelly of utility bribery and fraud. The Ohio scandal even led to the passage of one of the best clean energy bills in the U.S., Illinois' Climate and Equitable Jobs Act. Why? Because the extremely powerful IL Speaker of the House was basically standing in the way of clean energy legislation, and after he was forced to step down due to a federal indictment, the new IL Speaker was able to pass an excellent bill.

- Utilities that are honest and well-run have little to fear from this bill. This bill is preventive, i.e., it will stop small problems from becoming huge problems.

Thank you again for the opportunity to comment, and for your leadership in proposing this bill.

Nancy LaPlaca
Third Act Central
Tom Mikulka
Third Act Maine
4 Mountain View Road
Cape Elizabethton, Maine 04107