

## LD 1949 – An Act Regarding Energy Fairness

Testimony of John Brautigam, Esq. for Legal Services for Maine Elders Joint Standing Committee on Energy, Utilities and Technology

May 15, 2025

Senator Lawrence, Representative Sachs, and members of the Joint Standing Committee on Energy, Utilities and Technology.

My name is John Brautigam, and I offer this testimony on behalf of Legal Services for Maine Elders. LSE provides free legal help for Mainers aged 60 and older when their basic human needs are at stake.

LD 1949 addresses urgent gaps in consumer protection, transparency, and regulatory fairness in Maine's utility system. It recognizes that electricity and heat are not luxuries — they are lifelines, especially for vulnerable households that include older adults, infants, or people with medical conditions. LD 1949 is a thoughtful and comprehensive response to longstanding concerns we have heard from clients and community partners across the state.

# Part A — Protecting Households from Dangerous Utility Disconnections

Under current law, too many Mainers risk losing essential utility services even when they are engaged in the process of applying for public assistance or living in medically fragile households. LD 1949 wisely strengthens disconnection protections for households that:

- Include a person age 65 or older;
- Contain someone with a disability or medical condition;
- Have a dependent child under 12 months of age; or
- Are actively seeking support through an assistance program.

#### Consider the following scenario:

An 82-year-old woman living alone in rural Maine develops chronic respiratory problems over the winter. Her income consists of Social Security and a modest retirement check. Her heating and electricity bills spike, and she seeks help through the Low-Income Home Energy Assistance Program (LIHEAP). But her application is delayed due to high seasonal volume. Meanwhile, her electric utility initiates disconnection proceedings. Under current rules, she may lose service before

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May 14, 2025 Legal Services for Maine Elders – LD 1949 Page 2

her assistance is approved. Under LD 1949, that disconnection would be paused — potentially saving her from serious harm.

LD 1949 ensures that protection is tied not to bureaucratic success but to the customer's good-faith effort and vulnerability. It balances this with a process allowing utilities to petition the Commission in exceptional cases, preserving both fairness and reliability.

## Part B — Ending the Practice of Charging Ratepayers for Inappropriate Utility Expenses

Older Mainers consistently tell us they are burdened by high utility costs that they struggle to understand or contest. It is deeply unjust that ratepayers — especially those with low incomes — may be footing the bill for travel, entertainment, investor relations, or even fines incurred by their utility companies.

LD 1949 explicitly prohibits utilities from passing these types of costs along to consumers. It imposes penalties for violations and allows for both refunds and rebates. This is not just good policy — it is a matter of basic ethics. Ratepayers should not be treated as a blank checkbook for corporate expenditures that have no connection to providing reliable service.

**Imagine** a low-income couple in their 70s, living on \$1,700 a month, who see their electric bill rise without any clear justification. Unbeknownst to them, part of that increase stems from the utility recovering costs from a failed legal appeal — or paying for executives to attend a national investor relations conference. This is not transparent or fair. LD 1949 would stop that practice.

## Part C — Advancing Transparency and Public Understanding

Part C of the bill requires large utilities to provide quarterly data on disconnections, overdue accounts, and payment plans — data that can inform both consumer advocacy and regulatory oversight. For organizations like ours, access to this information would help us better identify trends and intervene before crises occur.

The bill also requires utilities to clearly explain "public policy charges" on customer bills — charges that fund essential programs like energy efficiency, renewable energy, and low-income assistance. These programs deliver long-term cost savings, health benefits, and energy resilience. Yet they are often mischaracterized as hidden taxes or burdens. LD 1949's plain-language disclosure requirement would help demystify these charges and build public trust.

#### Part D — Environmental Justice and Workforce Development

Part D incorporates environmental justice principles into the Public Utilities Commission's regulatory responsibilities — ensuring that the interests of historically overburdened or underrepresented communities are accounted for. Many older Mainers live in manufactured housing or in older buildings with poor insulation and inefficient systems. They often reside in areas where extreme weather and pollution exacerbate existing health issues.

May 14, 2025 Legal Services for Maine Elders – LD 1949 Page 3

Requiring the Commission to adopt a community engagement plan and consider equity in its decisions is a forward-looking step. It aligns utility regulation with our broader values of fairness, inclusion, and long-term sustainability.

## Conclusion

LD 1949 is a carefully designed bill that addresses real and pressing harms faced by Mainers — especially the most vulnerable among us. From preventing dangerous disconnections to stopping the abuse of ratepayer funds, from shining a light on utility practices to advancing environmental justice, this bill embodies sound regulatory policy grounded in human dignity.

Legal Services for Maine Elders urges the Committee to vote Ought to Pass on LD 1949. We thank Senator Carney for her leadership and the Committee for its careful attention to this important issue.

Thank you.