



May 21, 2025

To: Members of the Joint Standing Committee on Energy, Utilities and Technology
From: Carlisle Tuggey, General Counsel

On behalf of Central Maine Power ("CMP") I submit these comments in response to the written comments submitted by Peter Fitzgerald on May 20, 2025.

As a general matter, Mr. Fitzgerald's comments fail to take into account a critical issue with respect to Maine's electrical grid: that CMP is tasked with ensuring that its portions of the grid operate safely and reliably. Mr. Fitzgerald and his clients, on the other hand, are not tasked with such work; rather, they are incentivized to interconnect their generation projects in a manner that costs them the least amount of money possible. Indeed, that has been CMP's experience with Mr. Fitzgerald in his professional capacity—he has pushed for CMP's standards to be compromised or relaxed with respect to his client's projects, presumably to save his clients money. His implication that CMP benefits from such interconnections is wrong. The cost of such interconnection has no bearing on CMP's net income. No equity has been invested by CMP, there is zero value on CMP's books, in CMP's rate base, for this connection. There is no profit motive for CMP regarding interconnection costs, absolutely nothing.

CMP's refusal to compromise in this manner does not come from a place of "waste" or "inefficiency," as Mr. Fitzgerald claims, but rather its obligation to ensure that any such interconnections are done in a manner that is safe and does not affect the reliability of the system. The accusations regarding the ZIV relays are wholly unsubstantiated and pertain to a time period over 12 years ago. The accusation of Iberdrola or CMP having a financial interest in ZIV is not true.

Mr. Fitzgerald's claim that he has been "blackmailed" is entirely devoid of any supporting evidence, just like the spurious claims he made at the May 15 hearing. In reality, CMP previously made a request to Mr. Fitzgerald's employers that they not assign him to CMP projects. This request was made because of his persistent focus on trying to cut corners with respect to CMP's standards, which made interconnection planning nearly impossible. As just one example, during one planning call Mr. Fitzgerald continually requested that CMP allow his client to build within an energized CMP substation—something CMP does not allow for obvious reasons. After CMP refused the request, Mr. Fitzgerald tried to derail the call by continually raising the issue over and over again, eventually forcing a representative from ISO-NE to step in and tell

Mr. Fitzgerald that the standards would not be relaxed and he needed to move on. Simply put, Mr. Fitzgerald's approach to work with CMP demonstrated that he has little interest in the kind of collaboration necessary to make such interconnections go smoothly. CMP did not force Mr. Fitzgerald's employers to do anything, CMP simply made a request that he be assigned to other projects because he refused to work collaboratively in a way that would ensure safety and reliability. To turn these engineering disagreements into allegations of criminal activity is not just irresponsible, it is frankly absurd.

Similarly absurd are Mr. Fitzgerald's repeated claims that there "wasn't a way to doing anything about" the issues he claims to have had with CMP. Despite allegedly speaking with the State and Federal Departments of Labor, the Maine AG's office, and "one or two nationally known professionals that were experts in this area," CMP is not aware that Mr. Fitzgerald ever reached out to the MPUC, the OPA, or Avangrid's compliance department, which maintains a 24/7 anonymous helpline for ethics or other complaints.¹ It is difficult to believe that someone with Mr. Fitzgerald's experience and capabilities could not have found such resources. The more likely explanation for his lack of reporting is that he has little interest in actually raising these claimed issues to a regulator.

Sincerely,

A handwritten signature in dark ink, appearing to read "Carlisle Tuggey". The signature is fluid and cursive, with the first name being more prominent.

Carlisle Tuggey, General Counsel

¹ See <https://www.avangrid.com/corporategovernance/corporategovernancesystem/complianceprogram>