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Senator Mark Lawrence
Chair, Energy, Utilities and Technology
3 State House Station
Augusta, ME 04333

State Representative Melanie Sachs
Chair, Energy, Utilities and Technology
House Majority Office
Room 333, State House
2 State House Station
Augusta, Maine 04333-0002

RE: LD 1730 An Act Regarding the Beneficial Electrification Policy of the State

Dear Senator Lawrence and Representative Sachs:

These comments are submitted on behalf of the American Property Casualty Insurance Association (APCIA) whose members write the large majority of homeowners insurance in the state of Maine. APCIA opposes LD 1730 as drafted, specifically because of section 9 of the bill, which deals with mandatory issuance of insurance covering plug in solar generation devices. The Association opposes the bill for the following reasons:

There is no reason for a mandate. There are over 100 companies writing homeowners and renters insurance in the state of Maine and these carriers compete on every level. In particular, there are a number of carriers that already write these devices. The market accommodates those interested in such coverage, be it via policy or endorsement. Anytime an issue or coverage is mandated it results in price increases. It is more effective to allow consumers to shop for exactly what coverages they want.

Section 7 of the bill deals with liability. Despite comments to the effect that these devices are a panacea, they are not perfect, they do malfunction, there are instances of shock to individuals and shortages in wiring with negative and even dire consequences. Given the legislation's recognition that there are liability issues involved, which can relate to carrier's appetite for this coverage, a mandate is inappropriate.

It is not clear from the legislation how this mandated coverage will fit into the standards associated with cancellation and non-renewal (24-A M.R.S. §3007) and the Maine Cancellation Control Act (24-A M.R.S. §3048). In addition, it is not clear what standards will be applied in an initial application- for example, can an application be denied based upon an individual's history surrounding home maintenance or involving the manner in which a solar unit is installed?

There are a plethora of factors which go into underwriting. These various requirements and standards, which vary from company to company depending on its appetite for different kinds of insurance, should not be truncated or removed in relation to these devices.

The section refers to "standard" policies. While there is an insurance services organization, "ISO", which has a basic policy form, each company issues its own policies with

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its own unique features. As such we are concerned with the notion of trying to establish or limit policy term language for one aspect of potential coverage.

Rather than “specialized” policies and the like, if the committee moves forward with a mandate, it should reference endorsements and exclusions to policies.

The bill essentially categorizes this coverage as related to “personal property”. If the mandatory coverage provision of the bill moves forward, issues of ownership and control are significant- they will have to be fleshed out in great detail, which LD 1730 does not do.

APCIA appreciates the opportunity to have made these comments in opposition to LD 1730, and would be pleased to work with the Committee as it moves forward with its consideration of this legislation.

Sincerely yours,



Bruce C. Gerrity

BCG:mlb