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Written Testimony of the International Brotherhood of Electrical Workers (IBEW)

In Opposition to LD 838 / Concept Draft Amendment — “An Act to Establish the Maine Clean Energy Authority” (*draft header references LD 828; we note the discrepancy for the record*).

Before the Joint Standing Committee on Energy, Utilities and Technology

IBEW Second District (New England) and Maine IBEW Locals 104, 490, 567, 1057, 1253, 1768, 1837, 2144, 2233, and 2327

Senator Lawrence, Representative Sachs, and distinguished members of the Committee:

On behalf of the IBEW Second District and the ten Maine IBEW locals listed above, we submit this testimony in strong opposition to the concept draft creating the Maine Clean Energy Authority (MCEA). Our members build, maintain, and operate the grid that Maine depends on. We restore power in storms, construct and maintain transmission, substations, and distribution lines, and ensure safety and reliability every day.

We acknowledge and appreciate the draft’s inclusion of prevailing wage, apprenticeship utilization, project labor agreements (PLAs), and labor harmony agreements, as well as references to in-house workforce preferences and incumbent labor. These are important protections. However, they do not resolve the core problems created by the bill’s structure: an independent authority with expansive eminent-domain and bonding powers, limited accountability, and the ability to shift planning and construction decisions away from regulated utilities and the skilled bargaining-unit workforce that currently ensures reliability. For these reasons, we outline below the major areas where the IBEW strongly opposes the creation of this new Authority and the risks it poses to Maine’s workers, ratepayers, and the long-term reliability of the electric grid.

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1) Governance and accountability: too much power, too little oversight

The draft establishes a quasi-public Authority that is “not subject to administrative direction by any department, commission, board, or agency.” A 7-member board with long, staggered six-year terms may remove members only for gross misconduct; while an annual auditor and a separate compliance auditor are specified, operational decisions are left to the Authority, not to day-to-day regulatory supervision. This arrangement invites politicized or developer-driven outcomes without the transparency and due-process Mainers expect for critical infrastructure.

2) Eminent domain and corridor designation: sweeping siting powers with real landowner and reliability risks

The Authority may identify and designate intrastate transmission corridors, coordinate regional corridors, and take property by eminent domain, with specific provisions that reference high-impact transmission lines. Transferring this much siting power to an entity that neither owns nor operates the system creates legal, cost, and coordination risks, invites conflicts with existing rights-of-way, and can slow storm response if planning becomes fragmented across institutions.

3) Unlimited bonding and tax-favored financing: public-risk exposure without clear benefits

The revolving loan fund authorizes unlimited outstanding revenue and municipal bonds, broad tax exemptions, refunding, and treatment of Authority securities as legal investments. Financing tools are not the problem; the problem is combining them with corridor control and condemnation, which incentivizes building first and coordinating later. Bonds must still be repaid through project revenues, fees, or rates. This approach does not change the underlying cost drivers Mainers face; it risks duplication, litigation, and transition costs layered on top of the current system.

4) Risk to union jobs and bargaining-unit jurisdiction despite pro-labor language

We support PLAs, labor harmony, prevailing wage, and apprenticeship. But because the Authority will select developers through competitive solicitations, the work can be shifted away from utility lineworkers and fragmented among entities. The draft makes PLAs and harmony mandatory only above \$5 million, creating opportunities to package sub-threshold contracts. “In-house workforce” and “incumbent labor organizations” are preferences and undefined, which makes them easy to narrow. The result is uncertainty for collective-bargaining agreements, wages and benefits, and apprenticeship pipelines that Mainers rely on for safe, skilled work.

5) Reliability: duplicative planning and blurred accountability in emergencies

The Authority is tasked with transmission planning, identifying in-state and regional corridors, and pursuing advanced/grid-enhancing technologies. Those responsibilities overlap with regulated utility planning and ISO-New England processes. Splitting planning, siting, financing, construction, and operations across multiple entities increases the risk of misaligned incentives, slower emergency decision-making, and reliability gaps—especially in Maine's severe weather and geography.

6) Voter intent: a new path to an outcome Mainers have already rejected

In 2023, Maine voters overwhelmingly rejected the Pine Tree Power model. While this draft avoids direct public ownership of utilities, it centralizes corridor control, can condemn property, finances projects with public bonds, and selects developers—moving toward public control of grid buildout by another route. Mainers were clear: do not politicize grid ownership and control.

Conclusion

For these reasons, the IBEW urges the Committee to reject the concept draft establishing the Maine Clean Energy Authority. We stand ready to work with you on targeted, practical reforms that strengthen reliability, protect ratepayers, and grow high-quality union careers without sacrificing accountability or public trust. Thank you for the opportunity to testify.

Respectfully submitted,

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