



Memorandum to Energy, Utilities and Technology Committee Members
RE: OPPOSITION TO PROPOSED AMENDMENT TO LD 2112
Date: February 24, 2026

We respectfully submit this memo in opposition to the proposed amendment to LD 2112, *An Act to Authorize Municipalities to Form Community Choice Aggregation Programs to Procure Electricity* distributed this morning. While the objective of expanding municipal choice is understood, the amendment contains significant operational, privacy, and legal concerns that make it unworkable in its current form.

Expansion of Customer Classes (Section 1.A)

The amendment broadens CCA eligibility to residential, small commercial, and large commercial customers.

- Earlier versions included only residential and small commercial customers.
- Adding large commercial load introduces substantial operational and risk-management complexity.

This expansion will require system changes that will have cost impacts.

Section 7.C – Extensive and Problematic Utility Data Disclosure Requirements

Section 7.C requires utilities to provide a broad set of customer-specific data to a program consultant, program supplier, or their agent. This section is deeply problematic.

A. Mandated Transfer of Information Outside of Existing EDI Structure

The bill would compel direct data transfers from the utility to a third party, outside the existing Competitive Electricity Provider (CEP) EDI framework.

This contradicts prior discussions where CCAs were to be treated similarly to CEPs regarding data sharing.

B. Disclosure of Sensitive and Legally Protected Financial Information (7.C.6)

The amendment requires utilities to provide 12 months of payment history, arrearage status, and billing status.

- This is not information CMP currently provides to any third party, including CEPs.
- It is customer-protected financial information subject to privacy and consumer-protection rules.
- Mandating disclosure creates legal exposure and conflicts with existing confidentiality obligations.

C. NEB Participation Data (7.C.8)

The bill requires utilities to identify which customers participate in net energy billing (NEB).

- NEB status is not currently included in standard EDI datasets.
- Adding this to utility systems would require significant new development, testing, and implementation.

- D. Utility Does Not Provide Names, Account Numbers, or Mailing Addresses to Third Parties
It is critical to underscore that CMP does not provide customer names, account numbers, or mailing addresses to any third party under current law and practice.
- Section 7.C would require disclosure of all three.
 - This is a major deviation from all existing customer-privacy standards.
 - It raises profound concerns with almost the entirety of Section 7.C, not just specific subsections.

This requirement will require system changes that will have cost impacts.

LD 2112 Places the Entire Administrative Burden on the Utility

The amendment would require CMP to:

- Collect and deliver customer-specific data to aggregators;
- Build new tools and systems to process non-standard data requests;
- Potentially hire additional staff to manage data flows for each CCA zone;
- Continuously update customer information for ongoing program administration.

These obligations **far exceed** what is required for CEP interactions today and will have significant cost impacts to implement.

Customer Privacy and Legal Risk

Mandating disclosure of payment history, arrearages, names, account numbers, and mailing addresses to municipal aggregators or their agents raises serious legal issues, including:

- Potential conflicts with state consumer-protection laws;
- Confidentiality provisions in PUC rules;
- Federal privacy expectations for utility customers.

Sections 5 (implementation) and 7 (billing, collection, and data sharing) are particularly unworkable. This amendment depend on the utility providing data it cannot lawfully or technically supply; transfers CCA administrative duties to the utility; contains aggressive timelines incompatible with utility systems; requires new data systems outside existing EDI structures that will be expensive and time consuming and would require significant system modifications to block EDI enrollment revision or removal.

While municipalities may benefit from expanded aggregation authority, the proposed amendment to LD 2112 introduces significant cost, major operational burdens, legal risks, and customer-privacy violations.

We respectfully urge the Committee to reject the amendment in its current form.