



Testimony Neither For Nor Against LD 240

An Act to Increase Public Access to Utilities

Tuesday, January 9, 2024

Good morning, Chairman Lawrence, Chairman Zeigler, and distinguished members of the Joint Standing Committee on Energy, Utilities and Technology. My name is Simon Thorne and I live in Farmington, Maine. I am the Senior Manager of Government Relations for Consolidated Communications. On behalf of Consolidated, I'm here today to offer the following comments Neither For Nor Against LD 240:

Consolidated Communications is one of the largest internet service providers in the state. Consolidated is a top ten fiber provider nationally. Consolidated has expanded fiber optic broadband internet access service to more than 256,000 customers in Maine in just the last 3 years, under its Fidium Fiber brand.

Consolidated Communications is supportive of the concept of LD 240. Consolidated supports an open and competitive market for broadband in Maine. Consolidated believes that the broadband market will function best when consumers are given choices with respect to both the price and technology of the internet service they purchase. Agreements that provide access to multi-dwelling units to only a single provider, can deprive tenants of more robust or affordable broadband options. LD 240 would prohibit this which would allow the broadband consumer to make its own broadband choice, while offering important protection to landlords with respect to the installation of the services. Consolidated is supportive of this goal.

Consolidated does however, have concerns with respect to the enforcement. LD 240 seeks to provide the Maine Public Utilities Commission (the "PUC") with jurisdiction and enforcement authority over access agreements. From Consolidated's perspective this does not make sense. The PUC has no jurisdiction over the regulation of broadband service. Furthermore, the Maine PUC has no jurisdiction over individual property owners. Such expansion of authority is ill conceived as it goes far beyond the duties of the Commission contemplated in Title 35-A. Bringing individual landowners under the jurisdiction of the PUC in the name of expansion of service they do not regulate is not logical. Consolidated believes the Committee should continue to work on this bill, creating a bill which deters exclusive access arrangements and creates incentives for landlords to allow access by all provider types. At a minimum the Committee must remove the PUC authority under this bill.

Thank you very much for your time and consideration today and I'm happy to answer questions you may have, or bring supplemental information to the work session at your request.