

**Testimony of Amy Dumeny, Administrative Director
Maine Public Utilities Commission**

**Before the Joint Standing Committee on Appropriations and Financial Affairs and
The Joint Standing Committee on Energy, Utilities and Technology**

LD 2214: "An Act to Make Supplemental Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025"

Senators Rotundo and Lawrence, Representatives Sachs and Zeigler, and members of the Joint Standing Committees on Appropriations and Financial Affairs and Energy, Utilities and Technology, I am Amy Dumeny, Administrative Director of the Maine Public Utilities Commission. I am here today on behalf of the Administration to testify in support of LD 2214, specifically the portion of the budget pertaining to the Public Utilities Commission.

The Commission was established by the Maine Legislature in 1913 and is responsible for regulating Maine's electric, gas, telephone and water utilities. The Commission also has limited authority over rates and service of ferry transportation. In addition to its regulatory role, the Commission enforces Gas Safety and the Underground Damage Prevention Program and manages the statewide Enhanced 9-1-1 (E911) system.

The Commission is divided into six operating areas according to industry area or function. The Telephone and Water Division and the Electric and Gas Division are designated to work on the issues related to these regulated industries. The Emergency Services Communication Bureau (ESCB) manages the statewide E911 system, including program development and implementation. The Consumer Assistance and Safety Division (CASD) provides information and assistance to utility customers to help them resolve disputes with utilities. The CASD also oversees gas safety regulation and enforcement as well as the so called "Dig Safe" program. The Legal Division provides hearing officers in all cases before the Commission and assists in preparing and presenting Commission views on legislative proposals. The Administrative Division handles day-to-day operational management of the Commission, with responsibilities for fiscal, personnel, technology and other administrative matters.

ADMINISTRATIVE DIVISION PROGRAM 0184

The Public Utilities Commission is requesting one initiative within the Administrative Division, which can be found on **page A-125**.

This initiative provides funding for the approved reorganization of 10 Senior Consumer Assistance Specialist positions to 10 Senior PUC Consumer Assistance Specialist positions and transfers All Other to Personal Services to fund the reorganization.

These positions provide high level investigation, mediation and resolution to complaints filed by consumers against utilities. Responsibilities include issuing final decisions on consumer

complaints, utility requests for waivers from Public Utilities Commission rules and winter requests to disconnect submitted by utilities. Senior Consumer Assistance Specialists have the authority to investigate and issue final decisions that establish obligations on both the customer and the utility. These final decisions can only be overruled at the Commissioner level. Changes in the utility industry, including complex net metering installations, have created more complicated situations which require additional Commission rules as well as an advanced level of expertise, analytical ability and decision making. These positions handle all complaints relating to competitive electricity suppliers, project sponsors, distributed generation providers, and marketers of solar projects which has created a much more diverse and complicated regulatory framework necessitating the position to possess a higher level of expertise, analytical ability, and decision-making ability. This reorganization was reviewed and approved by the Bureau of Human Resources.

Additionally, the Commission would like the attached language that amends existing law to be considered as a change package item. Last session, Public Law 2023, chapter 307 was enacted creating an interconnection ombudsman position at the Commission. This position is to be funded by a fee assessed on those individuals seeking to interconnect to the electric transmission and distribution system. The amendment seeks to clarify that the duties of the interconnection ombudsman position also include technical or regulatory work involving public utilities and that this work is to be funded by the Public Utilities Commission's Regulatory Fund. It also clarifies that the interconnection ombudsman fund is to be used to offset costs for interconnection related activities undertaken by the interconnection ombudsman. This is an important clarification because the fees that would need to be assessed on those seeking interconnections in order to fund this position could be extremely high and the workload for an individual dedicated to one specific task could be quite variable. This clarity provides sufficient flexibility to use other funding and assign additional duties to the ombudsman, while still prioritizing their work related to interconnections.

This concludes my testimony. I would be happy to answer any questions you have.

Amend 35-A MRSA § 3474, sub-§4 as follows:

4. Interconnection ombudsman; fund. The interconnection ombudsman appointed pursuant to section 107, subsection 1 shall assist persons seeking interconnections governed by rules adopted under subsection 3. The commission shall appoint an interconnection ombudsman who possesses technical expertise related to interconnection and interconnection procedures.

A. The duties of the interconnection ombudsman include but are not limited to:

- (1) Tracking interconnection disputes;
- (2) Facilitating the efficient and fair resolution of disputes between customers seeking to interconnect and investor-owned transmission and distribution utilities;
- (3) Reviewing investor-owned transmission and distribution utility interconnection policies to assess opportunities for reducing interconnection disputes;
- (4) Convening stakeholder groups as necessary to facilitate effective communication between interconnection stakeholders; ~~and~~
- (5) Preparing reports that detail the number, type, resolution timeline and outcome of interconnection disputes; and
- (6) Any other technical or regulatory work involving public utilities.

B. The commission by rule shall establish a fee to be paid by persons seeking interconnections to fund the interconnection ombudsman in accordance with paragraph C. Notwithstanding Title 5, section 8071, rules adopted under this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

C. The interconnection ombudsman fund is established within the commission as a nonlapsing fund for the purposes of funding offsetting cost for interconnection related activities undertaken by the interconnection ombudsman. The commission shall deposit all fees collected under this subsection into the fund and all money in the fund must be used to ~~fully~~ fund the interconnection ombudsman. In addition to the fees established in accordance with this subsection, the fund may accept federal money and contributions from private and public sources.

Any activities undertaken by the interconnection ombudsman pursuant to subparagraph 6 shall be funded in accordance with section 116.

SUMMARY

This amendment clarifies that the duties of the interconnection ombudsman also include technical or regulatory work involving public utilities and that this work is to be funded by the Public Utilities Commission's Regulatory fund. It also clarifies that the interconnection ombudsman fund is to be used to offset costs for interconnection related activities undertaken by the interconnection ombudsman.