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Senator, District 35

THE MAINE SENATE
132nd Legislature

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Augusta, Maine 04333

Testimony of Senator Mark W. Lawrence introducing
LD 251, An Act to Protect the Confidentiality of Information of Individual Customers of a
Public Utility
Before the Joint Standing Committee on Judiciary
March 6, 2025

Senator Carney, Representative Kuhn, and esteemed members of the Joint Standing Committee on Judiciary, my name is Mark Lawrence. I am the State Senator from District 35, proudly representing Eliot, Kittery, Ogunquit, South Berwick, and York. I am here to present **LD 251, An Act to Protect the Confidentiality of Information of Individual Customers of a Public Utility.**

LD 251 excludes from the definition of public records in the Freedom of Access Act (FOAA) information pertaining to an individual customer of a public utility that is designated as confidential in rules adopted by the Public Utilities Commission (PUC).

As the PUC will explain in more detail, current Commission rules, Chapter 660 and Chapter 815 prohibit a public utility from disclosing, selling or transferring individual customer information to a third party without the consent of the customer on a case-by-case basis. The rules provide limited exceptions to this prohibition, and they protect the privacy of a utility's customers.

However, some utilities in Maine are subject to FOAA because they are a municipal department or political subdivision, and this sensitive customer information is subject to disclosure under the Act. This creates an inequity in the treatment of customers of utilities as some customers are afforded protection from disclosure, while others can have their information shared upon request.

It is hard to understand what public interest purpose is served by enabling disclosure of customer information such as their contact information; usage of electricity, water or gas; payment and credit history; or even medical conditions of members of the household.

The Commission, the Office of the Public Advocate and representatives of consumer-owned utilities met over the interim to discuss this issue and came up with the language contained in LD 251. It seeks to appropriately protect sensitive customer information from disclosure no matter what utility a customer is served by.

Representatives from the PUC are here today to speak in greater depth to this bill. I am happy to answer any questions you have for me, but I would direct you to the PUC representatives for specific information. Thank you for the opportunity to present this bill, I appreciate your attention to this matter.