



# Portland Water District

*From Sebago Lake to Casco Bay*

February 10, 2025

Senator Anne Carney, Chair  
Representative Amy Kuhn, Chair  
Members of the Judiciary Committee

Subject: Support for LD 251- An Act to Protect Confidential Information of Individual Customers of a Public Utility

Dear Senator Carney, Representative Kuhn, and Members of the Judiciary Committee:

Portland Water District (PWD or the "District") is a quasi municipal utility created by private and special law of the State Legislature in 1908 to provide water to the people of greater Portland. Today, PWD provides drinking water to over 200,000 people in 11 Cumberland County communities, and wastewater treatment services to six of those communities. The affairs of PWD are managed by a Board of Trustees composed of 11 members, all popularly elected by a plurality of the voters from the communities they represent. We do not have shareholders that profit from our activities and therefore our sole interest is meeting the needs of our customers. I am the Vice President of the Board of Trustees and I am elected by the residents of Portland.

I am providing this testimony to you in support of LD 251, - An Act to Protect Confidential Information of Individual Customers of a Public Utility. LD 251 exempts from the Freedom of Access Act any individual customer information that has been designated as private information under any rule of the Public Utilities Commission. Chapter 660 §4 of the Commission's rules designates customer information "including but not limited to a customer's name, address, telephone number, water usage or payment history" as confidential and not subject to disclosure without consent of the customer. As a public entity, the District routinely receives requests (1-2 a month) from those seeking to obtain records related to customers whose water has been shut off due to non-payment of bills. In addition, the District receives requests for water usage records from vendors seeking to sell equipment to our customers.

The District firmly believes that a customer's usage and billing and payment history should be confidential and not subject to public disclosure. This information is not subject to disclosure in the electric or gas utility context because those companies are private and not subject to the Freedom of Access law. This information can be used to intimidate or pressure customers who are having problems paying their bills, not to mention the public embarrassment it can cause. Usage information in the wrong hands can identify when a customer is away from their property, or even disclose the nature of the occupancy of the property.

With advancements in technology, the amount of data public utilities collect will only increase, and it's vital that we take proactive steps to protect our customers' privacy. While this information is collected for legitimate purposes such as accurate billing, leak detection, and service improvements, it's crucial to recognize the potential for misuse. This information, when combined with other publicly available or privately sourced data, could paint a detailed picture of our customers' lives, revealing their daily routines and habits.

For these reasons, we urge you to support this legislation and the privacy of our customers' information.

Sincerely,

Frederick McCann

Vice-President, Portland Water District

A handwritten signature in black ink, appearing to read "Frederick McCann". The signature is stylized with a large, sweeping initial "F" and "M".