

Testimony of Ashley Luszczki
Before the Joint Standing Committee on Energy, Utilities and Technology
In Opposition to L.D. 860, An Act to Require Competitive Electricity Providers to Provide
Certain Information to the Public Advocate
March 18, 2025

Senator Lawrence, Representative Sachs and members of the Joint Standing Committee on Energy, Utilities and Technology, my name is Ashley Luszczki. I am here on behalf of the Maine State Chamber of Commerce, representing a network of 5,000 small to large businesses across the state. Thank you for the opportunity to testify in opposition to L.D. 860, An Act to Require Competitive Electricity Providers to Provide Certain Information to the Public Advocate.

The Chamber appreciates the critical role of the Public Advocate, who is tasked with looking out for the interest of Maine's utility customers to ensure they receive fair rates and adequate service and appreciates efforts to ensure that there are adequate consumer protections for the competitive electricity market. We have concerns, however, that this legislation as proposed would be an unproductive step to regulate the competitive electricity market and would potentially create unintended consequences for businesses who rely on competitive electricity market providers.

The competitive market is intended to foster innovation, price competition, and provide choice. Maine's competitive electricity market allows businesses and consumers to shop for electricity supply options that best serve their needs. The Maine State Chamber of Commerce fully supports maintaining a competitive electricity market that has enabled businesses to choose their electricity providers and the contract terms, including length amount of renewable electricity attributes as well as time of use components.

As noted in the bill, the Public Utilities Commission (PUC) already receives reports from Competitive Electricity Providers (CEPs) and has the authority to oversee and regulate CEPs, ensuring compliance with state law. If there are concerns about CEP rates or practices, the Chamber believes it would be more appropriate to direct the PUC to conduct a limited-scope review rather than adding an additional layer of oversight and mandating a new regulation on businesses. Following that review, the PUC could report on their findings to this committee for legislation to be reported out.

Furthermore, the Chamber strongly supports protecting confidential business information. L.D. 860 would require CEPs to disclose copies of reports to the OPA, which are received by the PUC and may include proprietary pricing structures, contract details, and strategic business

information. While transparency is important, keeping sensitive business information confidential is of the utmost importance. We believe the current flow of information to the PUC is appropriate and believe the PUC would be better suited to conduct a review of CEPs, ensuring confidential business information remains safeguarded. Thank you for your consideration.