

Testimony of the Industrial Energy Consumer Group
In Support of L.D. 1321,
An Act to Reform Net Energy Billing by Establishing Limitations
on the Programs' Duration and Compensation
Before the Joint Standing Committee on Energy, Utilities and Technology
April 10, 2025

Good afternoon, Senator Lawrence, Representative Sachs and Members of the Joint Standing Committee on Energy Utilities and Technology. I am Anthony Buxton, an attorney with the firm of Preti Flaherty, here today on behalf of the Industrial Energy Consumer Group (IECG). IECG represents medium and large sized consumers of energy in Maine and advocates for policies that reduce energy costs for our members and cost-effectively help Maine achieve its climate goals. That is the reason we emphasize cost-effective measures, in order to ensure that our collective resources are able to meet the challenge. IECG invites all parties to visit our website, <https://www.getmaineclimateright.com/>, to learn more about the IECG and its advocacy for cost-effective climate mitigation.

IECG testifies in Support of L.D. 1321, *An Act to Reform Net Energy Billing by Establishing Limitations on the Programs' Duration and Compensation*. We support LD 1321 since it is a well thought out approach to limiting the growth of Net Energy Billing (NEB) costs imposed on ratepayers while only imposing prospective reductions on NEB project developers. We appreciate the intentions of the sponsor of L.D. 1317 which is also being heard today, but we feel that it does not go far enough to address all of the concerns related to Maine's NEB program that L.D. 1321 addresses.

Today I am sure you will hear both attacks and defenses of Maine's current NEB program. Just recently we observed the following in the PUC docket on determination of NEB costs and benefits: three reports, performed by three Massachusetts-based consultants, and sponsored by three Maine agencies, ALL of which I understand came to different conclusions about the actual costs and benefits of NEB to Maine and its ratepayers. At least two of these reports were paid for by Maine ratepayers, and we can be glad that at least they reached a similar conclusion that only differed in degree – NEB costs to Maine ratepayers are not supported by the purported benefits.

This ongoing debate is important – but it is NOT as important as the actual costs that are currently being collected from Maine ratepayers and that will be collected absent repeal of

NEB. The IECG today is not advocating for repeal of NEB. But while this committee debates what should be done; the most important thing is to ensure that cost allocation does not close down businesses, drive people out of state or impose too great a burden on our low-income ratepayers. That is why most of you keep hearing from the IECG about the proposed ratepayer stipulation and its rejection by Commission staff. That rejection threatens the kind of economic devastation that the stipulation seeks to avoid. That rejection also threatens the very future of NEB – as it makes the choice a stark one: in order to deal with the effects of a demonstrably inequitable, uneconomic, and perhaps unlawful decision as proposed by staff, the only option will be to seek full repeal.

If the stipulation is accepted, this dire and divisive choice will be avoided, as it will allow reasoned discussion and debate amongst all Committee members, the agencies, and the various public interests on all sides of the NEB discussion.

My time is up – I will stop and thank the Committee for the opportunity to submit these comments. We hope to have the opportunity to play a constructive role in the stakeholder discussions with the Committee. IECG is happy to answer questions now or provide additional resources for the Committee at the work session.