



April 16, 2025

## LD 1405: An Act to Amend Laws Governing the Public Utilities Commission Concerning Participant Funding

Testifying: In support

Senator Lawrence, Representative Sachs, Members of the Joint Standing Committee on Energy, Utilities, and Technology, my name is Kathleen Newman, Vice President of Government Affairs for Central Maine Power Company, submitting testimony on LD 1405: An Act to Amend Laws Governing the Public Utilities Commission Concerning Participant Funding. CMP offers this testimony in support of Representative Foster's amendment dated April 15, 2025.

As proposed by the sponsor's amendment, this bill would limit intervenor and participant funding in proceedings at the Public Utilities Commission to individuals acting in a personal capacity.

CMP's support for this amendment aligns with testimony this committee received in 2023 when it considered LD 395, the bill that added "participants" as eligible recipients for funding and added administrative penalties as an additional source of funding. The testimony on that bill focused on two objectives: elevating underrepresented voices in Commission decision making processes, including low- and moderate-income households; and increasing available funding to enable those underserved voices to participate.

The MPUC rule implementing the new legislation requires: 1) the position advocated by the intervenor or participant is not adequately represented by the Public Advocate or the Staff of the Commission; 2) participation in the proceeding by the intervenor or participant would impose a substantial financial hardship on the intervenor or participant; 3) The intervenor or participant is likely to substantially contribute to the proceeding and to assist in the resolution of the issues raised in the proceeding; and 4) The intervenor or participant complies with the (rule's) eligibility determination requirements.

In the first utilization of the new intervenor and participant funding approach since LD 395 passed, however, a well-funded political organization, Our Power which raised and spent over \$1 million on a government-controlled power campaign, was deemed eligible for intervenor and participant funding. This is a well-funded entity with paid staff, consultants, and participation in proceedings both at the commission and the Legislature. They have a 12-member Board of Directors and claim to represent a coalition

of over three dozen other organizations and businesses – a stark contrast to those underrepresented and underserved populations the intervenor and participant funding concept was intended to serve.

We strongly encourage the Legislature to consider whether a program meant to elevate the voices of Mainers who feel the effects of Commission decisions but have little opportunity to participate in the Commission process, should continue to be available to well-funded and well-represented organizations. We believe Representative Foster's amendment presents an opportunity to realign the intervenor and participant funding program with the Legislature's and stakeholders' original intentions.

Thank you for your consideration.