



Joint Testimony in Opposition to LD 1535

An Act to Reduce Illegal Cannabis Operations by Requiring Permits for High Electrical Usage

April 24, 2025

Senator Lawrence, Representative Sachs, and members of the committee, please find below the joint testimony of Central Maine Power Company (CMP) and Versant Power (Versant) in opposition to LD 1535, specifically several of the provisions contained in Section 2 of the bill.

CMP and Versant work closely with partners in law enforcement and emergency services, including by providing relevant information for enforcement matters when legally authorized to do so (e.g. in the case of a court order).

While we appreciate the intentions behind this bill and will continue to be a resource to law enforcement where appropriate, we are concerned about the both the customer privacy implications and the potential challenges of implementing certain of the bill's requirements.

Section 2 of LD 1535 proposes five conditions (A-E) under which a consumer-owned or investor-owned transmission and distribution utility would be required to report "suspicious power use" to a code enforcement or inspection authority of a municipality. Several of these provisions are similar to those raised in LD 2204 which was heard in the Criminal Justice and Public Safety Committee during the last legislature.

As we understand it, Part A would require reporting if a 300-ampere or higher service is installed at a residential property, including if multiple smaller panels resulted in a total of 300-amperes or higher being provided. We would note that many properties include multiple residences or residential buildings, garages, outbuildings, shops, etc. the sum of which could well exceed 300-amperes. Additionally, and importantly, 400-600 ampere

services are now being installed at some residential accounts to serve electric vehicle and heat pump installations. Requiring this reporting for 300-ampere or higher service is highly likely to flag a significant number of lawful and unnecessary customers for these purposes and thus creating the potential of significant unintended consequences.

Part B would require reporting to a municipal code enforcement or inspection authority every time a transformer malfunctions. The overwhelming majority of transformer or other equipment malfunctions or failures are unrelated to the concerns raised in this bill and we question the value of adding an additional layer of reporting to municipal authorities in these cases.

Part C. requires reporting in the event a transformer larger than 25kva is installed (or upgraded) to serve a residential customer. Again, while larger transformers are not currently the norm for residential service, transformers and other electrical equipment will need to be upgraded and upsized across our system as Maine rapidly moves forward with the deployment of distributed energy resources.

Part D. would trigger reporting in the event a residential customer's monthly consumption increases by 500% or more. We recognize that such an increase in usage is potentially concerning for various reasons, including and especially the safety of the customer and any other people who may be on the premises. At the same time, a large increase in consumption could well be attributable to other factors (e.g. a seasonal residence that goes unused in the winter but has recently been fitted with air conditioning and/or EV charging that dramatically increases usage during a period of hot weather).

Maine's utilities handle sensitive customer information, and our customers rightly expect us to maintain the confidentiality of such information, subject to certain exceptions. If we are asked to share information with public authorities, the companies would want to ensure that there is significant clarity regarding the terms under which such information is to be shared, a clear authorization for the utility to do so, and that customers understand such a policy change is being made. We also believe it is important to determine whether municipal code enforcement or inspection authorities are the appropriate depository for this information.

Part E. requires reporting if a utility "finds evidence that power diversion or theft has occurred by circumventing a residential meter to obtain access to service." When cases such as these occur today, the utilities work to ensure that such theft of service ceases, that any safety concerns are quickly remedied, and that law enforcement is made aware of the issue and can take any additional appropriate measures.

Finally, as contemplated in the last sentence of Section 2, there may be information, such as the square footage of a facility, to which a utility is unlikely to have ready access.

For these reasons, we would request that, should the committee decide to move forward with the issues raised by this legislation, that it first convene a group of stakeholders – including the electric utilities, the Attorney General’s Office, relevant representatives of law enforcement, municipal stakeholders and the Public Utilities Commission – to ensure there is alignment and clarity around such requirements and that compliance would not unreasonably burden electric ratepayers.

Thank you for your consideration and we would be happy to respond to any requests for information.