State of Maine
Office of the Public Advocate
112 State House Station, Augusta, Maine 04333-0112
(207) 624-3687 (voice) 711 (TTY)
www.maine.gov/meopa

Heather Sanborn
PUBLIC ADVOCATE

Testimony in Support of
LD 1964, "An Act to Require the Development of a Standard Written Disclosure for Sellers and Installers of Distributed Generation Resources, to Make Changes to Other Standard Disclosures and to Make Misrepresentation in the Sale of Electricity Products an Unfair Trade Practice"
May 15, 2025

Senator Lawrence, Representative Sachs, and distinguished members of the Joint Standing Committee on Energy, Utilities and Technology,

My name is Heather Sanborn, here today as Public Advocate, to testify in support of LD 1964, "An Act to Require the Development of a Standard Written Disclosure for Sellers and Installers of Distributed Generation Resources, to Make Changes to Other Standard Disclosures and to Make Misrepresentation in the Sale of Electricity Products an Unfair Trade Practice."

Our office hears from Maine consumers nearly every day who are struggling to understand who their solar provider is or how to contact them with questions about their account. Our consumer advocate is an expert at using various tools to figure out which billing company is associated with which solar farm name that may appear on a customer's bill, but it should not be this hard. The standard disclosure form the PUC has created should be revisited and part of what this bill does is prompt that second look and ensure that contact information is provided.

Often, the issues go beyond what disclosures and notices can solve, so we're very pleased to have worked with the sponsor to add additional provisions to this bill. Earlier this year, we began to receive an increasing number of calls from concerned and frustrated customers who had been billed for solar credits far in excess of what they could use. When we reached out to the solar billing companies on behalf of particular customers, we were able to obtain significant refunds. As a result, we grew increasingly concerned about the great number of customers who might be in the same situation but had not reached out to the OPA for help.

As we investigated the situation, we obtained two emails indicating that some solar billing companies were intentionally oversubscribing customers to make up for the fact that some of their farms were undersubscribed or were seeing very high customer cancelation rates.

In mid-April, our office sent a letter to the community solar billing companies warning them against oversubscribing customers. While we believe that oversubscription violates the PUC's existing disclosure requirements and constitutes an unfair and deceptive trade practice, we encourage this committee to go one step further and make it crystal clear that overallocation is not permitted and that overallocated credits must be refunded to customers

if they expire. While we have been able to secure significant refunds on behalf of customers who are savvy enough to reach out to us, we think the problem of overallocation is likely quite broad and thousands of Mainers may be owed a refund by their solar billing company.

We also support the provision in the sponsor's amendment that improves the transparency in marketing of community solar subscriptions. If a community solar company advertises that a customer is buying "solar" energy, then they should be required to either retire the Renewable Energy Credits (RECs) associated with that energy or, at the very least, sell them within Maine so that they are subjected to a holdback requirement. Otherwise, the claim that customers are buying solar power are grossly misleading.

LD 1964 is a commonsense step toward improving consumer protections and helping Mainers make informed choices in a complex energy marketplace. I welcome your questions and would be pleased to provide additional information for the work session.

Respectfully submitted,

Heather Sanborn
Public Advocate