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*Testimony of Representative Sophie Warren Presenting*

**L.D. 1966, An Act to Improve Access to Community Solar Programs in the State**

*Before the Joint Standing Committee on Energy, Utilities and Technology*

Senator Lawrence, Representative Sachs, and respected colleagues of the Committee, I am proud to represent part of Scarborough in the Maine House and I thank you for the opportunity to introduce LD 1966, *An Act to Improve Access to Community Solar Programs in the State.*

This bill responds directly to five practical problems undermining Maine's community solar program and, more broadly, public trust in how our utilities administer and communicate costs to ratepayers.

**First**, LD 1966 addresses the longstanding problem of so-called "double billing" in Maine's community solar program. Many subscribers, including many in my district, especially those in low- and moderate-income households, have been forced to navigate two separate bills: one from their utility and another from their solar project.

This creates confusion, erodes trust, and often discourages participation. By requiring transmission and distribution utilities to offer consolidated billing for distributed generation projects, the bill removes this unnecessary barrier. Customers should not have to manage parallel payment systems to participate in clean energy programs that are supposed to make their lives easier and more affordable. A single, transparent bill is both common sense and consumer protection. Former Senator Vitelli worked towards a years-long effort to create a pathway for this to be developed. I am aware some of those efforts are ongoing — to different degrees depending on who you ask. I think it is valuable to have a publicly-facing conversation to assess where we are in this process, what barriers exist, what costs are alleged, the root of those alleged costs, and the timeline and expectations absent legislative action.

**Second**, through a sponsor amendment to Section 1, the bill tackles the ambiguity and lack of oversight around administrative charges imposed by utilities on interconnection of distributed generation projects. These charges have, for years, operated in a regulatory gray area without meaningful review, disclosure, or justification. I applaud various efforts, including those led by Senator Grohoski and Representative Kessler and others to

facilitate independent regulatory oversight here and stronger standards. LD 1966 seeks to build on this requiring utilities to be more transparent in the details of their administrative charges, particularly around interconnection, and to order refunds if those charges are found excessive or improperly assessed. When ratepayers and project developers can see what they are being charged for and why, transparency can replace frustration, and oversight can replace assumption. More than anything, this is a good governance measure. A sponsor amendment is attached to reflect the language amending this same area of statute adopted by a majority of this committee in Senator Carney's "Energy Fairness Act." Whether supported in Senator Carney's bill or in this one, I thought it best to avoid duplicating efforts and so sought to reflect that work already done here.

**Third**, LD 1966 takes aim at what some, myself included, find to be an inappropriate *use of the ambiguous term "policy charges"* on customer bills. I am a critique where climate change is used to justify unjust rates. But we have seen an increasingly partisan tendency to isolate and highlight specific "policy" components of energy bills, framing them as political choices separate and distinct from any number of policy choices, for example, the policy choice allowing for the existence of private utility companies, the policy choice to continue to assure the likelihood of a certain rate of return for those companies, the long-standing policy choice to build an energy system reliant on volatile fossil fuels. When these charges are selectively presented in the way we have seen, they are weaponized to advance un-objective, partisan narratives, choosing which public policies are unquestioned, acceptable, or not worth the money in the view of a private company. This bill brings some semblance of balance into the conversation by requiring the Commission to ensure that bills which seek to pursue this distinct category do so by presenting a comprehensive description of public policy charges, including cost and benefit. If ratepayers are going to see what they're paying for, they deserve to see something resembling a complete picture.

**Fourth**, LD 1966 strengthens the potential for *low-income assistance program (LIAP) customers to benefit from community solar savings*. Right now, many of the Mainers who would gain the most from lower energy costs are those who face the most barriers to accessing solar programs, either because they rent, live in multifamily housing, or simply lack the resources to participate. By directing the Electric Ratepayer Advisory Council to identify methods to improve access for low- and moderate-income Mainers, this bill contributes to efforts to align Maine's clean energy programs with Maine's values of fairness and inclusion. Community solar should not be a privilege for the few; it should be a pathway to energy affordability for those who need it most.

**Finally**, and in that same vein of economic justice, there is one additional provision consistent with our changes in LD 1777, at the close of last session, to exclude cooperatively owned projects from the December 2025 deadline, consistent with our exemption of behind the meter, rooftop solar. We made a similar exemption for wholly customer or cooperatively owned projects to the addition of a user fee, but we did not decide at that point to exempt wholly consumer or cooperatively owned projects from the end of projects altogether, as we did to rooftop solar projects. This is a minor, but valuable equity consideration consistent with our previous work, completely ratepayer beneficial, and consistent with the will of the committee last session. There wasn't sufficient time to include this provision in our discussions and votes on LD 1777, but I do believe it still deserves our thoughtful consideration. The one cooperative corporation in Maine, Maine Community Power, is here today to discuss the ROI they offer the grid, owners, our local economy, the unique opportunity they have in funding, and further how federal shifts creates a very unique and time sensitive situation that compels us to include the same cooperative ownership exception we have already made in one part of this statute, now to the other. It is possible the successor program is inclusive of their unique work, but absent that, I do see this group as ratepayer benefit

and equitable to behind the meter solar, and hope our committee will seriously consider this provision for those reasons.

In short, LD 1966 is a pragmatic reform, though one worthy of serious discussion and nuanced thinking that seeks to build on measures of greater transparency, fairness, and trust in our state's energy system. It consolidates bills to make them clearer, brings oversight to opaque utility charges, defends public policy from being misused as a political tool, and opens the door for working and low-income Mainers to share in the benefits of solar energy. These are practical goals; they are basic standards of good governance.

For all of these reasons, I respectfully urge the Committee to vote "Ought to Pass" on LD 1966. Thank you for your time and for your continued work to ensure that Maine's clean energy future is economically just, fair, transparent, and accessible to everyone.

# An Act to Improve Access to Community Solar Programs

L.D. 1966

Date: Thursday, October 30, 2025

**ENERGY, UTILITIES AND TECHNOLOGY**

**STATE OF MAINE**

**132ND LEGISLATURE**

**FIRST SPECIAL SESSION**

**SPONSOR AMENDMENT** " " to H.P. 1310, L.D. 1966, "An Act to Improve Access to Community Solar Programs"

Amend the bill by striking out all of Section 12, either amend or add the following:

## PART A

**Sec. 1. 35-A MRSA §301-A, sub-§7** is enacted to read:

**7. Administrative charge limitations and transparency.**

**A. "Administrative charge" defined.** Administrative charge" means a fee or charge for services that is added to the actual cost of materials or supplies or labor performed by or on behalf of a transmission and distribution utility with over 50,000 customers and charged to a transmission and distribution utility customer for work funded directly by that customer through a proposal, estimate, invoice or final accounting for the cost of interconnection, line extensions or other work funded directly by the customer other than charges for the customer's regular electricity service.

(1) "Administrative charge" includes, but is not limited to, an administrative service charge, overhead, an indirect overhead cost or a cost adder. "Administrative charge" does not include:

a. Expenses for a transmission and distribution utility employee's labor while directly engaged in the work for which a customer is billed if the customer bill states that those expenses are included in the cost of labor; or

b. Expenses related to the purchase, storage or delivery of materials or supplies incorporated into the work if the customer bill states that those expenses are included in the cost of materials or supplies.

**B. Administrative charge disclosure.** A transmission and distribution utility with over 50,000 customers shall disclose any administrative charges included in a customer bill for work funded directly by that customer. If any line item in a customer bill includes an administrative charge, the customer bill must specifically identify the administrative charge and include a description of the charge. All administrative charges must comply with the requirements of section 301, subsection 2 and any other applicable provisions of this Title.

**C. Violations.** If the commission finds that a transmission and distribution utility with over 50,000 customers has violated any provision of this section or improperly assessed an administrative charge, the commission may order the transmission and distribution utility to refund all or part of the administrative charge paid by the customer.

**D. Rules.** The commission may adopt rules to implement this section. Rules adopted by the commission pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

## PART B

**Sec. __. 35-A MRSA §3209-B, sub-§9** is amended to read:

9. Distributed energy resource program. Notwithstanding any provision of this section to the contrary, after December 31, 2025, the commission may not allow a transmission and distribution utility to enter into a net energy billing agreement with a distributed generation resource that is interconnected or planned to be interconnected to the distribution grid on the utility side of a customer's utility meter. A consumer-owned small project as defined by 35-A MRSA §3209-F, sub-§5 in net energy billing under this section is exempt from this subsection.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

## SUMMARY

This amendment does the following.

1. It strikes Section 12.
2. It strikes and replaces Section 1. It establishes certain disclosure requirements on customer bills and limits the applicability of the proceeding to transmission and distribution utilities with over 50,000 customers.
3. It changes the exemption within §3209-B to include consumer-owned small projects.