



Testimony in Opposition to LD 471
An Act To Require Legislative Approval for Certain Leases of Public Lands
March 18, 2021

Senator Dill, Representative O’Neil, and members of the Joint Standing Committee on Agriculture, Conservation, and Forestry, my name is James Cote and I am here today on behalf of Versant Power in opposition to LD 471, primarily to highlight what we perceive as unintended consequences of this legislation.

Versant Power is the primary regulated electric transmission and distribution utility serving northern and eastern Maine. Our company serves 160,000 customers over a territory spanning 10,400 square miles, including 1,265 miles of transmission lines, and 6,090 miles of primary distribution lines.

As you can imagine, with such a large service territory situations occasionally arise where our infrastructure must cross publicly owned land in order to achieve our core obligations to customers. Please understand that Versant Power takes these instances seriously, and we maintain a goal of maximizing sensitivities around these public parcels of land, as well as minimizing our impact on them.

Indeed, Versant Power has engaged in at least four submerged land leases with the Bureau of Public Lands since September 16, 2014, which is the date included in the retroactivity clause of LD 471. As a result of this clause, the leases that we entered into in good faith with with the State, to satisfy the core functions of our business and obligations to our customers, would be subject to a 2/3 vote of both Houses of the Maine Legislature- despite the fact that these leases are already being utilized.

We would also like to point out that the use of state-owned railroad tracks for utility purposes is also imperative for us to serve our customers. One example of this is an agreement we have with the Department of Conservation for use with the Down East Sunrise Trail. The State’s ownership of some of the railroad systems entirely bisect vast regions and without the ability to cross them it could eliminate our ability to adequately serve customers.

Additionally, the Governor’s Energy Office has recently commissioned a thorough third-party market analysis of the State of Maine’s renewable energy goals. It is clear from their recently published report that increased transmission capacity, and associated upgrades and investments, will be key components of our state’s ability to meet our ambitious energy and climate goals in an efficient and cost-effective manner. Versant Power hopes the legislature will leave the door open to solutions that are broadly supported by local stakeholders and that will unlock the significant economic and climate benefits of grid scale renewable development in northern and eastern Maine.

We know that your deliberation on this piece of legislation could impact utility use of public lands in the future. We would ask that you give due consideration to any potential unintended consequences, fairness, and Maine’s ability to achieve broadly supported policy objectives in the future.

Thank you for your consideration.