



133 Two Lights Road
Cape Elizabeth, ME 04107 USA
Web: www.twolightsenergy.com

May 4, 2021

Maine Legislature
Committee on Energy, Utilities and Technology
C/O Legislative Information Office
100 House Station
Augusta, Maine 04333

Testimony on

LD101, An Act to Prohibit Offshore Wind Energy Development

LD1619, An Act to Establish a Moratorium on Offshore Wind Power Projects in Maine's Territorial Waters.

LD1587, An Act to Remove the Municipal Ordinance Exemption for the Development of Non-Essential Transmission Lines.

Dear Chairman Lawrence, Chairman Berry and Committee Members:

I am writing to you in opposition the three above-named bills. This testimony also refers to LD 80, A Resolution to Provide for the Participation of the State in the Planning Negotiations for the Atlantic Loop Energy Project, which I support.

I address these three bills jointly, because they are interrelated. Taken together, if enacted, they will have an overwhelmingly negative impact on Maine's ability to achieve its stated carbon reduction objectives, to attract investment into Maine and to create jobs. Further, they would enhance Maine's already poor reputation as a place to do business by, in effect, saying "clean energy investment is not welcome here." Renewable energy companies and their investors have choices as to where to invest. These three bills would in effect make it too risky to invest here, and the investment will go elsewhere.

As I have testified to the EUT Committee before, carbon and climate change do not respect state or national borders, Maine needs to work with the rest of the New England states and Canada to deliver not only clean renewable generation, but a 21st century grid system that can deliver that green energy to where it is needed. One of the issues with green energy is that the resource because of the scale of land needed for wind or solar tends to be outside of densely populated areas where the load is. To reach our climate goals we need to make use of all of the resource available in Maine and new England which necessarily means more transmission lines, offshore wind and projects like the Atlantic loop

LD1587, An Act to Remove the Municipal Ordinance Exemption for the Development of Non-Essential Transmission Lines

This act would likely result in the cessation large scale wind and solar in Maine, especially offshore wind. Maine is a small electricity market, but it is a potentially large renewable market. By banning transmission lines that supply energy outside the state means that Maine would be unable to take advantage of its large landmass and marine resources for renewable projects that could provide Maine with an export led economy. Because of its low population density and large landmass near next to energy hungry Southern New England, Maine is in a unique position to supply renewable energy to the Northeast. Investment in Maine would create jobs and revenues here in

Maine. Eliminating any transmission line involving power that is not consumed domestically in Maine, is like limiting the lobster industry to only harvesting that amount of lobster which is consumed in Maine. Maine does not have many potential export industries. Renewable Energy is one of them. The bill would also make illegal the Atlantic Loop project which is a key part of achieving low carbon energy.

LD101, An Act to Prohibit Offshore Wind Energy Development

LD1619, An Act to Establish a Moratorium on Offshore Wind Power Projects in Maine's Territorial Waters.

Both of these Bills are, in my opinion, ill-advised. LD101 is especially problematic in that it seeks to permanently ban all offshore wind in Maine. This creates issues of Federal v. State sovereignty, as it on its face it would extend beyond the 3-mile state-controlled waters. It also lacks the exception of LD1619 that would allow offshore cabling for wind in Federally-controlled waters. This bill should be flatly rejected for jurisdictional issues and for the reasons set forth below.

With respect to LD1619, although I understand the desire to placate the fishing and lobster industries, I think it is also ill advised. It does allow transmission from Federally-controlled waters, but it still sends the wrong signal to the industry and I fear that the 10-year duration would ultimately mean Maine will lose out on the offshore wind industry.

I lived in the United Kingdom for over 15 years where I was involved in the financing of 10 offshore wind farms in British territorial waters. Britain now leads the world in offshore wind. Like here, fisherman raised concerns about the impact on their livelihoods, but as far as I understand to date, those wind farms have not created material long term issues for fisherman. Yes, they did impact fishing during construction, but there do not seem to be long-term issues, and the UK has been operating offshore wind farms since 2008. In addition, recent studies in Rhode Island at the Block Island offshore wind farm also do not indicate material issues affecting fisherman.

Turning to employment, most offshore wind long-term jobs are in wind farm servicing and support, which need to be based in ports. The experience in the United Kingdom was that offshore wind farm support services concentrate around where wind farms are built, which is entirely logical. Were Maine to enact a 10-year moratorium, or ban offshore wind altogether, Maine would be handing the long-term servicing opportunity to other New England ports – Boston, Newburyport and New Bedford, and not Kittery, Portland, Bath or Rockland.

From a business development standpoint, if a state like Maine and says it does not want offshore wind, sponsors of offshore when projects will focus all of their development efforts elsewhere - in this case Massachusetts and Rhode Island, which are already competing for offshore wind investment and jobs. That means the service industry will grow there, and should at some point Maine were to open up, it would be less competitive and more expensive because new support infrastructure would need to be built. Maine might even have to import offshore wind power from Massachusetts or Rhode Island. I see a 10-year moratorium as Maine effectively giving up on securing any offshore wind economic benefits for the State.

It is legitimate to consider the concerns of fisherman and lobstermen, but 10-year moratorium is excessive, and will in fact kill any chance of having an offshore wind industry in Maine. To properly balance and address interests, I would suggest a bill that calls for a 2-3 moratorium during which period the offshore wind industry, the PUC and the fishing and lobster industries, perhaps under the lead of the Gulf of Maine Research Institute, would determine which areas of Maine's Coast acceptable for offshore wind development where they will have the least impact. This is Great Britain did. The UK Government and industry consulted for several years, taking into account wind resource, fishing and other marine life, bird migratory patterns and seabed conditions to designate certain areas that would be leased for offshore wind. Such an approach would be an understandable hiatus for offshore wind developers and also send a clear signal that once areas are defined development in those areas could move forward promptly.

Maine has set climate targets, as it should, but it seems at each turn someone is pushing to ban or impede the actions that are needed to reach those targets. And as noted above, all these bills will do is entrench Maine's reputation as being hostile to business, including green businesses. These bills should be rejected.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Thomas Murley', with a stylized, cursive script.

Thomas Murley
Two Lights Energy Advisors

TWO LIGHTS ENERGY ADVISORS

Two Lights Energy offers investors and project sponsors a wide range of investment and strategic advice in the global energy infrastructure sector, with a focus on renewable energy and conventional power investments.

TOM MURLEY

Tom is one of the most visible faces in European and global renewable energy investing and is a leading advocate for increased institutional investment in energy projects and infrastructure. He has participated in the financing and acquisition of over \$10 billion in energy projects. He started his renewable energy career in Maine in 1991 in the biomass sector. Tom's experience includes:

- In 2004, he founded the renewable energy fund business for HgCapital one of Europe's leading private equity houses; raising over \$1 billion in capital and making HgCapital a leading renewable energy investor.
- In 2012 he was appointed to the inaugural board of directors of the UK Green Investment Bank, the world's first green investment bank.
- In 2016 he was appointed to the board of Ameresco, a NYSE listed diversified energy services company and developer of renewable and combined heat and power projects in the United States and Europe.
- In 2018 he was appointed to the board of the newly formed Gore Street Energy Storage Fund, the world's first listed fund for battery storage projects.

Tom is also an expert on the intersection of renewable energy and infrastructure investment trends and renewable energy policy, renewable energy subsidies and energy market design and regulation. He has advised the European Union, the UK Government and several other governments on structuring energy investment policies to attract institutional investment. He has testified to the UK Parliament on the state of institutional investment in renewable energy projects and he has been a frequent speaker at European Union, United Nations and other energy seminars and conferences. Tom is active in industry and investor organizations. He has served on the boards of the Institutional Investors Group on Climate Change and the Norwegian Wind Energy Association. He has chaired the Sustainable Energy and Environment Committee of the British Venture Capital and Private Equity Association and has served on finance committees of WindEurope, the Swedish Wind Energy Association and Renewables UK.

Tom also teaches a practical course in Project Finance Law in the Master of Banking and Finance Law program at Boston University School of Law in Boston, Massachusetts.