

Peter Fromuth  
Yarmouth

Committee on Energy, Utilities and Technology  
June 1, 2021

Distinguished Members,

Although I submitted testimony during the public hearing on May 20, I am taking the liberty of sharing further thoughts during this morning's work session in the hope that the Committee's understanding of certain issues might benefit from brief additional observations.

Most importantly, it bears repeating that Maine as the sovereign, is the sole source of the electric utilities' authority to operate as public monopolies. Maine grants monopoly rights and may take them back. The courts have conditioned that grant on provision of good service at reasonable rates, and, with that proviso, allowed "just compensation" to shareholders (e.g. Bluefield Water Works v. Public Service Commission).

As the Committee has heard, CMP and Versant have consistently fallen far short of the conditions the courts have enunciated for the privilege of maintaining their monopolies by regularly performing at the bottom of the country's utilities while charging ratepayers among the highest rates in the country. The only legal question therefore is what constitutes "just compensation" for Maine's citizens to have returned to them what is theirs by right.

Litigation is inevitable. CMP and Versant have the money, money largely provided by the ratepayers themselves, to finance an extended battle against those very ratepayers. Without detectable irony they have brandished that cost as a reason not to move forward with a public remedy for a private betrayal of the public trust. But despite the cost, it will be far less than the amount of money that Maine's consumers annually transfer out of our state and country. And most importantly, it will pale in comparison to the savings Maine will enjoy as a result of adoption of this initiative. Please vote to adopt.

Sincerely,  
Peter Fromuth  
Yarmouth, Maine .