

“Senator Lawrence, Representative Berry, and members of the Joint Committee on Energy, Utilities, and Technology: My name is Rev Darien (Deke) Sawyer, I reside in Jackman, Maine, and I am here to testify in support of An Act to Create the Pine Tree Power Company.

I would like to commend the committee for holding this hearing to listen to the truth and concerns of Maine customers. I also thank you for allowing me to give this sworn testimony.

My name is Rev Darien Sawyer, I was the lead complainant from Jackman on case 2018-00340 which was combined with 2018-00330 and 2019-00019 under a new complaint #2019-00047. While this complaint reached a negotiated stipulation which may or may not solve Jackman's reliability problems there are concurrent issues ongoing with CMP that are not being solved. I am speaking out of concern for Maine customers who are being mistreated and abused by CMP and am appalled by CMP's immoral and unjust acts. Some of my reasoning may sound familiar because the circumstances have not changed in over 4 years.

Whereas: statute 35-A MRS § 1511 was written to protect the public from an unfit utility which states “The commission may, in an adjudicatory proceeding, suspend or revoke the authority of a public utility to provide service upon a finding that the public utility is unfit to provide safe, adequate and reliable service at rates that are just and reasonable.”

and whereas; the Maine Public Utilities Commission exists to be a watchdog for Maine customers to protect them from over reaching and under performing monopolies.

And whereas; the MPUC has failed in it's duties to revoke said license and even had the audacity to dismiss multiple complaints concerning CMP's UNFIT status without investigation or hearings.

and whereas; CMP has failed in it's obligations to it's customers in all areas mentioned within the statute

and whereas; CMP has acquired the reputation of the least trusted company in Maine because of unjust and immoral acts upon their customers

and whereas; CMP is among the worst reliable electric utilities in the nation according to U.S. Energy Information Association as well as other publications

and whereas; CMP 's outage frequency and duration's have reached historic proportions in the State of Maine

and whereas; some of CMP's infrastructure including, lines, poles, insulators, switches, transformers etc. date back to WWII era

and whereas; much of CMP's infrastructure including, lines, poles, insulators, switches, transformers etc. are more than 50 years old

and whereas CMP has thousands of old and broken poles needing replacing

and whereas; CMP has identified a backlog of over 69,000 hazardous trees in their Resiliency Plan that could disrupt power on any given day

and whereas; despite an increase in funding for hazard tree removal in 2014, CMP is not able to keep pace with the increasing number of hazard trees according to the same Resiliency Plan.

and whereas; CMP's billing issues are also of historic proportions and hurting Maine families and

continue well past the time period that the MPUC allowed

and whereas; CMP has taken an obstinate and uncooperative posture toward Maine customers

and whereas; CMP has not responded in a customer friendly way to these billing concerns or to outage complaints and there are still issues happening currently after a 2 ½ years

and whereas; CMP's customer service department is coarse, confrontational and abusive rather than concerned

and whereas; CMP does not seek to meet or exceed their customers needs

and whereas; CMP does not take these issues seriously but rather tries to hide or ignore their problems

and whereas; CMP is more concerned with pushing through a new corridor that Mainers neither need or want, while allowing customers to suffer without reliable electricity and reliable billing.

and whereas; CMP does not accept their responsibility to fix these issues with their own revenues but want customers to pay for issues the company created through mismanagement and neglect

and whereas; it is not the customers responsibility to maintain or improve CMP's assets

and whereas; it is not the customers responsibility to pay for CMP vegetation management

and whereas; the proposed increase is an unwarranted surcharge extorting money from captive customers

and whereas; CMP determines storm volatility by damage done to a neglected infrastructure, rather than scientific weather and meteorological measurements

and whereas; CMP's delivery price has already increased significantly in recent years

and whereas; CMP is not incentivised to reduce outage frequencies or duration's but are rather compensated by never ending rate increases

and whereas; CMP is asking for yet another burdensome rate increase in a historical pattern of never ending increases

and whereas; the Maine Power Reliability Program put money into CMP coffers and assets while failing to provide power reliability to Maine's customers

and whereas; CMP's Resiliency Plan is nothing more than another shell game intended for gaining a rate increase and has no guarantees of providing better reliability

and whereas; CMP has shown no concern for the safety, health and welfare of Maine customers with medical needs requiring electricity for seniors or young children

and whereas; there is no hope for the future under CMP as a foreign owned company that Maine will ever be provided safe, adequate and reliable service at rates that are just and reasonable

and whereas; CMP has proven itself to be unfit to serve the State of Maine customers in all areas of safety, reliability, billing, customer service and rates

and whereas; never in the history of Maine has a company pushed so hard to trample the will of their customers by building a for profit venture, while at the same time performing with historic depravity in rates, service and reliability!

And whereas; a COU would be incentivised to perform well in all areas for the customers

And whereas; Pine Tree Power would be significantly more cost effective and would not require an

additional 12-15% guaranteed profit to pass on to shareholders

And whereas; COU's have an outstanding reputation vs private monopolies

And whereas; Pine Tree Power will hire experts to manage such utility while incentivising best practices and performance

I also formally recommend and request that Pine Tree Power not be required to purchase any or all of CMP's assets that are found to be old, antiquated or without usefulness to a 21<sup>st</sup> century infrastructure.

I also formally recommend and request that all customer overcharges be independently investigated on an individual account basis and amended properly, as well as full compensation by CMP to customers who have already paid overcharges since the inception of SmartMeters. It is also formally recommended and requested that CMP be compelled to repair any harm that takes place to customers credit scores as a result of fraudulent billing.

According to Bangor Daily News May 1<sup>st</sup> 2019 article titled “ How Central Maine Power failed its customers and still increased profits” “Since 2016, regulators at the PUC have formally warned CMP six times that it could face consequences for its customer service failures, which included providing inaccurate information to customers and not having adequate levels of staffing at its call center, a violation of PUC rules. In February, PUC staff recommended that the commission reduce the amount of money CMP can make from ratepayers as a penalty for its substandard customer service. “[S]tarting in 2016 and through the present time, CMP’s performance has significantly and consistently fallen below standards reasonably expected of a utility to provide adequate service,” PUC staff wrote.

In light of the fact that both customers and the PUC staff are in agreement that CMP is mistreating and misusing customers, I therefore submit the company should be considered unfit and the COU “Pine Tree Power be created” The people of Maine want 21<sup>st</sup> century power reliability and customer focus, at a fair and reasonable rate. The track record of CMP over the past decade shows they are not willing and able to do this. No more business as usual with CMP! It is time to purge Maine of this corrupt monopoly and move toward a secure and bright future for Maine's consumers.

Respectfully submitted;

Rev Darien (Deke) Sawyer

Jackman, Maine

# A Declaration of Independence from CMP

Rep. Seth Berry·Thursday, July 4, 2019

When in the course of human events, it becomes necessary for a people to dissolve the monopoly franchise which they have conditionally granted to a multinational corporation, and to assume for the benefit of the earth and of themselves, a greater control over their own energy destiny, basic decency requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident: that all Mainers are created equal; that we are endowed by our Creator with certain unalienable Rights; that among these are reasonable bills, reliable service and the pursuit of energy independence; that to secure these rights, monopoly Utilities are instituted among us, deriving their significant powers from the consent of the customer; and that whenever any form of Utility becomes destructive of these ends, it is the right of the people of Maine to alter or to abolish it, and to institute a new form of Utility, laying its foundation on such principles and organizing its powers in such form, as to us shall seem most likely to effect our safety and our independence.

The history of the present monopoly heretofore granted by the people of Maine to Central Maine Power, which is owned by Avangrid, which is fully controlled and 81.5% owned by Iberdrola, and which itself is owned primarily by investors from Qatar, Norway and Spain, is a history of broken promises and misrepresentations, all having in direct object the ever-greater exportation of monies from the residents and businesses of this State. To prove this, let these facts be submitted to a candid world.

CMP/Avangrid/Iberdrola have lied, repeatedly and intentionally, to the people of Maine

and to our elected and appointed leaders, misrepresenting the accuracy of their billing and metering systems;

CMP/Avangrid/Iberdrola have neglected the basic rights of their captive customers to adequate service, accurate bills, and reasonable rates to engage instead in the building of a vast and destructive transmission corridor, intended to serve only the interests of foreign entities and of the State of Massachusetts, from which Maine earned its independence two centuries ago;

CMP/Avangrid/Iberdrola have this spring alone paid two past Governors of Maine to work on their behalf, and against the interests of the State, as well as a past legislative leader and a top staffer from the previous Administration, and have spent at least \$1 million on advertising and at least another \$500,000 on a score of lobbyists to swarm the State House;

CMP/Avangrid/Iberdrola have fought bitterly and successfully to kill proposals backed by over 70% of Maine people that would have required independent verification of the supposed carbon reductions from their proposed corridor, and that would have prevented CMP/Avangrid/Iberdrola from abusing the unique and enormous powers of the State to seize private property by eminent domain, or to override town ordinances and other forms of local control;

CMP/Avangrid/Iberdrola have made it difficult for the developers of new sources of energy generation, slow-walking the interconnect process and directly competing against the free-market generation sector using the force of their monopoly power, developing a merchant transmission corridor in concert with other foreign entities, which is unrelated to their obligation as a monopoly utility in Maine and which short-circuits Maine's own ability to create lasting clean energy jobs in our state;

CMP/Avangrid/Iberdrola have overbuilt the electrical grid at an exorbitant, long-term cost to Maine ratepayers, who in many instances are now paying well over \$1,000 back to Iberdrola investors over a twenty-year period for every \$100 investment those

stockholders have made in our grid, mounting in sum total over the coming years to billions of dollars exported from Maine's economy and ratepayers;

CMP/Avangrid/Iberdrola have risked the lives and limbs of workers, requiring lineworkers to climb poles alone and without safety spotters present, and have risked also the lives of customers, disconnecting or threatening to disconnect customers who rely on life-sustaining electrical equipment and who have been sent astronomical and absurd bills;

CMP/Avangrid/Iberdrola have presided over an unprecedented period of growing delivery rates and worsening reliability in Maine, more than doubling total residential delivery costs from 4.2 to 8.6 cents per kWh in the past ten years, and leading Maine today to have some of the highest electrical delivery costs in the nation and both the highest number and longest duration of outages in the nation as of 2017;

CMP/Avangrid/Iberdrola have contributed in all the aforementioned ways to the particularly high energy burden of Maine residents and businesses as a portion of income, and yet have just this week proposed yet another double-digit rate increase;

CMP/Avangrid/Iberdrola have by their investor-owned structure made their customers ineligible for federal disaster assistance to electrical service restoration efforts after major storm events, requiring us instead to pay for all restoration costs incurred and to do so at a high rate of interest, while customers of consumer-owned utilities pay for only the portion not covered by federal assistance;

CMP's CEO has stated, a year ago, that his is now the "most mistrusted company in Maine," and yet even since that time he has on several occasions held press conferences or contacted elected officials and customers to allege that his billing and metering systems are working correctly and as intended;

CMP/Avangrid/Iberdrola have, through their legions of lawyers and lobbyists, vociferously and successfully rolled back policies designed to reduce costs and to

increase Maine's energy independence by putting power back into the hands of Maine people, including but not limited to storage, solar energy, and cost-effective efficiency measures; and

CMP/Avangrid/Iberdrola have consolidated genuine planning and decision-making authority in the closed boardrooms of Bilbao, Spain, rather than in their offices in Connecticut or in Augusta, Maine; reducing customer access to the meaningful decisions that affect Maine CMP workers and customers alike.

In every stage of these failures and abuses we have petitioned for redress in the most reasonable terms. Our repeated petitions have been answered only by repeated injury. A Utility whose character is thus marked by every act which, if not granted by this state an absolute monopoly franchise, would long ago have chased away all or at least most of its customers, is unfit to continue to hold a free people captive to its high rates, poor reliability, and atrocious customer service.

Nor have we been wanting in attentions to our franchisee. We have reminded them that their conditional monopoly franchise, which grants them uses of our public rights of way and the exclusive right to serve well over 600,000 customers in their service territory, is not unconditional. They have been deaf to the voices of their customers. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of humankind, partners in good business; adversaries in bad business and in broken trust.

We, therefore, the residents of the State of Maine, in the United States of America, appealing to the Supreme Judge of the world for the rectitude of our intentions, do solemnly publish and declare, that we are, and of right ought to be free and independent of distant monopolies unfit to serve them; that we hereby revoke and dissolve forever the conditional, monopoly franchise previously granted to Iberdrola's subsidiary, Central Maine Power, and that as free and independent customers, we have the full power to form a Consumer Owned Utility to purchase the poles and wires and contracts of CMP at the value Iberdrola itself has assigned to these before our

regulators, full power to refinance these assets at far more favorable rates than we currently pay to distant shareholders, full power to require that those governing our utility meet openly and transparently in our state, transparently and subject to all Freedom of Access laws, in order to serve the Maine customer-owner and the Maine customer-owner only, and to be chosen from among those customer-owners and accountable to us, and to do all other things which Public Utilities may of right do.

And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we the Mainers who have liked, shared and retweeted these words, mutually pledge to each other our lives, our fortunes and our sacred votes in all coming elections for Legislature and for Governor of Maine, and for the Congress, for the Senate, and for the Presidency of the United States of America.