



53 Baxter Boulevard, Suite 202 | Portland, ME 04101
Phone: 866-554-5380 | Fax: 207-775-5727 | TTY: 877-434-7598
aarp.org/me | me@aarp.org | twitter: @aarpmaine
facebook.com/aarpmaine | instagram.com/aarpme

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Testimony in Support: L.D. 1962, An Act to Limit Utility Shut-offs

Chairs Lawrence and Zeigler and honorable members of the Joint Standing Committee on Energy, Utilities and Technology. I am Alf Anderson, Associate Director for Advocacy and Outreach for AARP Maine. AARP is a non-profit, non-partisan social mission organization with more than 200,000 members across the state. We work on a range of energy issues at the state level. The core principles we approach this work with include affordability, reliability, sustainability, and accountability.

AARP supports the reforms proposed by Senator Jackson to ensure that essential electricity and natural gas service is affordable and that additional steps be taken to prevent disconnection of service.

First, it is important that the Legislature direct the Commission to explicitly ensure that electricity and utility services are affordable as well as just and reasonable to public utilities. While Maine embarks on necessary policies and programs to address climate change, the use of basic utility service that is crucial to the health and safety of older Mainers to fund these initiatives must be done in a manner that is affordable.

Second, while Maine has a strong set of consumer protections for winter disconnection, the growing threat of climate change means that we are going to experience dangerously high temperatures in the future. Extreme heat is a particular concern for older Mainers since extreme heat without electricity to operate cooling devices and fans can have deadly consequences. The Commission has addressed this issue on an emergency basis for specific events, but we support the proposal that a more permanent shut-off protection be mandated under extreme weather conditions. This policy will ensure a more careful and uniform approach rather than relying solely on discretionary emergency orders.

Third, as AARP Maine has proposed to the Commission in its current rulemaking for Chapter 815, low-income customers should not be charged for security deposits, late fees or reconnection fees. They are similar to the “gotcha” fees that are charged by credit card and banking services that only add to the difficulty in paying the payment plan or the monthly bill on time. These additional charges operate as a barrier to service and add to the unaffordability of service. This policy can be implemented as a feature of the current low income programs, such as LIHEAP, LIAP, and the Arrearage Management Program.

Finally, AARP Maine opposes the current policy in the Commission’s rules that allows a utility with a smart meter to disconnect service without a premise visit to attempt contact. The concern here is not so

much the use of a remote switch to turn the meter off or on. Those functionalities are useful and result in cost savings. The issue here is the obligation to “knock on the door” prior to disconnection, whether done remotely or manually. This attempt for personal interaction is not substituted by attempts to reach the customer via phone or text. If those contact methods work to avoid disconnection or enter a complaint, that is of course reasonable. The issue here is whether remote disconnection should occur if contact has not otherwise been achieved. Historically, Maine’s public utilities were required to conduct a premise visit or knock on the door immediately prior to disconnection. This policy allows for a human being to interact with a responsible adult if there is contact at this time, determine the status of payment, whether a medical emergency exists, or whether there are unsafe conditions that would suggest to any reasonable employee that disconnection should be at least temporarily halted. This historical Maine practice operated well prior to installation of smart meters and should be revived. We noted that many other states with smart meters have retained this obligation for a premise visit and attempt to contact prior to disconnection, namely, Pennsylvania, Connecticut, Massachusetts, New York, Maryland, and Ohio.

We understand that these consumer protections may result in changes in operating expenses by public utilities. We would agree with a reasonable phase in of these reforms and consideration of their impact on operating costs in the next base rate case.

Thank you for the opportunity to provide our views on this important bill. If you have questions for me, I can be reached at aanderson@arp.org or at 207-330-1147.

Alf Anderson
Associate State Director, Advocacy and Outreach
AARP Maine