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Paul R. LePage
GOVERNOR

Timothy R. Schneider
PUBLIC ADVOCATE

March 11, 2015

RE: LD 420, “An Act To Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects”

Dear Senator Woodsome and Representative Dion,

The Office of the Public Advocate testifies in support of LD 420, “An Act To Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects.” We believe the law provides additional clarity regarding who should bear the cost of the independent non-transmission alternative analysis required under 35-A M.R.S. 3132(2-C) and 3132-A(1)(A).

The provision of statute requiring an independent NTA analysis is relatively new, passed in 2013 as part of the omnibus energy bill (P.L. 2013, ch. 369) in the 1st session of the 126th Legislature. The first such analyses have been completed within the last year, and the Commission and various stakeholders are still learning how to efficiently and effectively use the results of these studies to the benefit of ratepayers. The transmission siting statutes have been the subject of many revisions recently, and as the Commission puts these into effect I expect there will be future suggestions as to how this process—and the statutes—could be refined and improved.

The Commission, under the newest NTA provisions, has elected to be the entity that

conducts and pays for the NTA study. We believe this is an important measure to ensure that the analysis is independent (in the case of the MPRP, the NTA analysis was performed by the applicant, Central Maine Power). The proposed amendment calls for 4/100 of 1% of the project or \$100,000, whichever is higher, to provide the Commission funds to conduct these NTA studies. We support this change.

One question raised by the bill, and left unanswered by the statute, is who should pay when there are multiple proposed solutions for an identified transmission need. In the current Commission proceeding regarding reliability in Northern Maine, multiple entities of those applicants should be subject to the filing fee. While the wording of the statute saying who pays has not changed in LD 420, it is unlikely that the intent of the bill is to collect \$100,000 from each applicant in order to conduct an NTA study or studies. Some clarification to incorporate the issue of multiple CPCN filings and how costs for NTAs would be allocated in those situations would be beneficial.

Respectfully Submitted,



Timothy R. Schneider
Public Advocate

cc: Energy, Utilities and Technology Committee
Paulina Collins, Public Utilities Commission
Electric Legislation List