



Janet T. Mills
GOVERNOR

STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0001

June 15, 2020

The Honorable Neil Chatterjee
Chairman
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Dear Chairman Chatterjee:

I write to you to express my strong opposition to the Petition filed by the New England Ratepayers Association on April 14, 2020 asking the Commission to assert jurisdiction over net metering programs, and to urge you to deny the Petition in its entirety. Granting the Petition would be inconsistent with the settled boundaries of federal jurisdiction, would upend long-standing legal precedent of state regulatory authority over retail electricity service, and would put at risk Maine's existing renewable energy programs and the economic benefits enjoyed by thousands of citizens at risk.

The Petition asks the Commission to usurp state regulatory authority over retail electricity programs such as net energy metering, the bill-crediting system used by families, businesses, schools, and municipalities to generate their own electricity. Previous Commission orders confirmed the authority of states to regulate net energy metering, both before and after Congress reaffirmed state jurisdiction over through the Energy Policy Act of 2005. The Maine State Legislature and Maine Public Utilities Commission have adopted and modified our retail metering policies several times in response to evolving state needs.

The State of Maine, legislators, regulators, and stakeholders have spent years evaluating, developing, and implementing our net energy metering policies. Today, more than 6,000 projects in Maine, owned by families, businesses, and communities, rely on net metering. These projects and future renewable energy deployment are at risk if you do not outright dismiss this petition which create significant economic hardship for Maine's residents and Maine's economy.

I ask the Commission to reaffirm the existing authority over retail electricity programs by dismissing the NERA Petition. I stand ready to work with you to preserve state authority and our ability to provide families, businesses, and communities help in transitioning Maine to a cleaner energy future, as we reopen our state's post-pandemic economy.

Sincerely,

Janet T. Mills
Governor



PRINTED ON RECYCLED PAPER