

Summary Notes from Maine Data Center Advisory Council

September 9, 2026

Overview

The Maine Data Center Advisory Council (the Council) held its fifth public meeting on September 9, 2026, from 9:30am-12pm. The Council was established by Executive Order of Governor Janet Mills in April 2026. It will provide strategic input, facilitate coordinated state planning, and evaluate policy tools to address large-scale data center opportunities and related benefits and risks to the State of Maine.

The meeting was held virtually via Zoom webinar and brought together 16 members of the Advisory Council, 7 project team members, and 59 webinar attendees. The meeting was facilitated and supported by the Consensus Building Institute.

The objective of this meeting was to discuss policy recommendations emerging from prior Council meetings, two public listening sessions, and written comments submitted by members of the public.

The meeting agenda, slides, and recording are available on the [Maine Data Center Advisory Council webpage](https://www.maine.gov/energy/datacentercouncil). The webpage URL is: <https://www.maine.gov/energy/datacentercouncil>.

Below are high-level summary notes from the meeting.

Welcome and Recap of Prior Meetings

Advisory Council Co-Chairs Melanie Loyzim and Celina Cunningham welcomed Council members and reviewed the Council's progress based on the planned roadmap and public engagement to date. They summarized key takeaways from the previous meeting focused on economic and community development as well as the two public listening sessions that took place in late August and early September. Details are available in the meeting slides.

Discussion of Policy Recommendations

Prior meetings and listening sessions have surfaced a number of specific topics and pathways for the Council to consider under each focus area.

- **Environment:** Focusing on unique impacts, including noise, infrasound, water consumption and cooling fluids, and exploring performance standards, could strengthen Maine's regulatory framework for data centers.
- **Energy:** To strengthen Maine's safeguards pertaining to large data centers, recommendations could include advocating for Maine ratepayers through federal and regional processes and working with the Maine PUC to use available tools, including requiring large data centers to pay for upgrades, new energy needs, and support demand management; and meet clean energy requirements.

- **Community and Economic Development:** The state could further support communities by offering dedicated technical expertise and other support.

The Council considered three guiding questions:

- *In each focus area, what are you most interested in considering for specific recommendations?*
- *Do you see gaps in the current discussions of potential recommendations?*
- *Is there additional information or data that would help inform the recommendation discussion, given the realities of our time and resources?*

A summary of the discussion follows below, sorted by focus area and topic.

Environment

Sound

Sound is a consistent concern based on experiences with data centers in other states. Sound from data centers may be within a range that is disturbing and persistent and may include infrasound. The distance of the development from residences, wildlife, and habitats is important, as topography, location, and siting are major factors in determining impact from noise. Sound and siting should be considered together, to ensure clarity around how sound will travel and carry in the area. The Council should consider the following:

- Whether existing regulations are currently adequate for this type of development.
- Whether their recommendation on sound would pursue a state level regulation, or regulation or oversight at the local level.
 - If at the state level, such regulation could potentially be included under the Site Location of Development law.
- Consider recommending sound studies for data center development. These are required for some industries in Maine (e.g., wind farms). Such a study might include:
 - Decibel levels
 - Frequency of certain decibels and persistence at different times of day
 - How sound carries
 - Impacts on wildlife
- Whether additional outside expertise may be required.
- Evaluate the potential impact to other industries as well as businesses already operating in the state.

Water & discharge

Existing groundwater regulations include a state law regarding major water withdrawals, as well as a law for surface water withdrawals. The Council should consider the following:

- Conducting a review of existing groundwater regulations and consider the unique impacts of this specific type of development.
- Existing regulations require protection against impacts from withdrawals under low flow, drought conditions. More information about this should be made available.
- Mechanisms to ensure that data center water consumption does not affect other uses, including public and private water supplies, and ecosystem needs.

- Pre-treatment considerations for sewer discharge and explore whether siting restrictions specific to this type of development may be appropriate.
- Whether additional outside expertise may be required on certain topics (e.g., drinking water utility operations). Some specific questions raised include:
 - Impacts to ratepayers (water)
 - Transparency in review process
 - Public health impacts

Siting and End of life

- The Council should review existing state-level provisions for decommissioning and consider additional recommendations. These could include:
 - Clear authority and requirements
 - Cost of compliance
 - Impact to town budgets
- Regarding ownership: right, title, and interest is part of Maine's existing SLODA. The Council should consider whether existing provisions are adequate for this specific type of development, which may change ownership during the development process.
- The Council should consider how to ensure legal responsibility throughout development, operations, and decommissioning/end of life, and whether local authority and safeguards are adequate for this specific type of development.

Energy

Transmission and Distribution

The Public Utilities Commission process will review potential impacts from data center development on the transmission and distribution systems, including safeguards and potential impacts to ratepayers, process for interconnection and cost allocation, measures to protect customers from stranded costs, and whether and how special rate contracts might be used for large load interconnection.

Generation

Addressing generation is complicated due to the structure of New England's electricity markets. There is already a need for additional capacity in New England, with or without additional demand from data centers.

- In developing energy-based recommendations, the Council aims to ensure adequate ratepayer protections, no negative ratepayer impacts, and enable net benefits for ratepayers where possible.
- The Council acknowledges the potential for broader market impacts as a result of state requirements, and potential impact on regional natural gas supply and costs.

The Council should consider the following:

- Specific recommendations regarding energy generation, which would not be addressed by the PUC process, including:
 - A requirement for data centers to bring their own generation
 - Onsite/back up generation and energy storage requirements

- Requirements related to demand flexibility
- The potential for mismatch between timing of new load and the construction of new generation.
- The impact of data center development on Maine's renewable energy laws and targets, including whether new load from data centers could increase the costs of compliance, and what the impact would be to ratepayers.
- Continue to monitor ISO-New England's response to FERC's show cause order, including upcoming filings.

Economic and Community Development

Community Benefit Agreements

The Council should consider the existing local authority of communities to enter into CBAs and other agreements, and whether further clarification is needed at the state level.

- Specific agreements that may be evaluated include impact fees, application fees, Credit Enhancement Agreements, and examples from other industries (e.g., Expedited Wind Permitting Community Benefits Package)
- There is an ongoing study regarding impact fees, which will be important for the Council to consider.
- Both municipalities and developers will need clarity and guidance to navigate this process.

Transparency

- Municipalities and residents have expressed concern over the use of non-disclosure agreements (NDAs) during the project scoping and siting process. While there may be some limited reasons for an NDA, the potential impact of these on transparency and community acceptance must be considered.
- Recommendations regarding transparency should consider:
 - Allowable scope of NDAs
 - Applicability of existing state law, such as FOAA
 - The information made available through existing processes, such as state-level siting and environmental review
 - Title, right or interest - disclosure of all parent and subsidiary companies
- Different agencies of the state government may coordinate to address development inquiries. In drafting its recommendations, the Council should consider:
 - Availability of information regarding review and approval processes
 - The roles of different agencies of state government in the process
 - The process for engaging with Tribal Governments
 - Opportunities to streamline state and municipal-level review of proposals
 - The need for dedicated coordination processes and/or identification of lead agencies

Next Steps

- The next Council meeting will focus on potential policy recommendations. It will be held on October 7, 2026, from 9:30am–12pm, via Zoom.
- Meeting registration links and a link to sign up to the email newsletter are available on the [Council webpage](#).