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PUBLIC ADVOCATE

January 31, 2019

Chairman Lawrence, Chairman Berry and Members of the Energy, Utilities and Technology Committee,

The Office of the Public Advocate testifies in support of LD 31 “An Act Regarding Rules Adopted by the ConnectME Authority” which changes the designation of rules adopted by the ConnectME Authority from major substantial to routine technical.

Over the past year, under the leadership of Heather Johnson, the ConnectME Authority has matured into an effective and efficient organization. The OPA actively worked with other stakeholders to revise and update the Authority’s program rules, Chapter 101. The program rules required overhaul as the result of legislative changes, as well as changes in how broadband expansion is implemented. These rules establish how the Authority determines where and how it will award grants that will push broadband infrastructure into hard-to-reach areas of the state. The Authority voted to approve the rules, but was delayed in getting them into effect because, as major substantive rules, they required legislative approval.

While the OPA understands that legislative oversight of rulemaking is often appropriate, in the case of the ConnectME Authority, legislative oversight only serves to delay the Authority’s ability to ensure that its rules remain effective in a rapidly moving industry. The OPA supports amending the Authority’s rulemaking authority to routine technical status.

Thank you for your time, attention and consideration of this testimony. The Office of the Public Advocate looks forward to working with the Committee on LD 31, and will be present at the work session to assist the Committee in its consideration of this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barry J. Hobbins". The signature is written in a cursive style with a large, stylized initial "B".

Barry J. Hobbins
Public Advocate