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

The Office of the Public Advocate (“OPA”) testifies in support of LD 1556 “An Act Regarding Filing Fees in Transmission Line Proceedings” which bill increases the amount paid to the OPA for expenses incurred which exceed the amount of the filing fee that is required to be submitted in any Certificate of Public Convenience and Necessity Proceeding (“CPCN”).

Current law requires that, when a person files with the Public Utilities Commission (“PUC”) a petition for issuance of a CPCN, for the construction, rebuilding or relocation of a transmission line, that person must pay, in addition to the filing fee paid to the commission, an additional filing fee to the OPA equal to 1/100 of 1% of the estimated cost to erect, rebuild or relocate the transmission line. LD 1556 would increase the amount of the additional filing fee to 2/100 of 1% of the estimated cost to erect, rebuild or relocate the transmission line. It would also allow the OPA to recover expenses in the CPCN proceeding that exceed the amount of the original filing fee.

The bill provides specifically, that if the expenses of the OPA in the transmission line proceeding exceed the amount of the original filing fee, the OPA may bill the entity monthly for additional incurred expenses.

Filing fees paid as required under this subsection must be segregated, apportioned and expended by the OPA for the purposes of representing the interests of consumers

in the proceeding before the commission or conducting public outreach to inform consumers about the proceeding. The OPA is required to return any portion of the filing fee that is not expended for these purposes to the person who paid the fee.

As you are aware the OPA has been heavily involved in the New England Clean Energy Connect (“NECEC”) transmission proceeding (Docket 2017-00232) and has expended additional expenses in excess of the original filing fee. The original project had a reported cost of \$950 million and a filing fee of \$95,000.00 was remitted to the OPA. From July 1, 2018 to March 30, 2019 the OPA has expended \$166,996.31 in staff and consultant work hours. The current statute does not allow for the OPA to be adequately reimbursed for expenditures in such a case. This bill will allow the OPA to recoup its expenses as was the intent of the legislation.

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 1556, and will be present at the work session to assist the Committee in its consideration of this bill.

Respectfully submitted,



Barry J. Hobbins  
Public Advocate