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

My name is Barry Hobbins and I am the Public Advocate with the Office of the Public Advocate and I am here today to testify neither for nor against LD 933 “An Act To Facilitate the Expansion of Broadband to Unserved Areas of the State.”

The OPA would like to thank Representative Berry for submitting this bill. Expansion of broadband to unserved areas of the state is a top priority but the OPA does not believe this bill is the most effective method to achieve this goal.

The Office of the Public Advocate echoes the concerns of the ConnectMaine Authority that the way to fund expansion in unserved areas is not by placing the financial burden on served areas. Shifting costs from one consumer to another doesn't make sense and it is not representative of the Office's mission to represent all consumers. The exact impact on the “not unserved areas” is hard to predict, but only negative. Further, the justification for this being emergency legislation is not clear where it's not shown that broadband providers would be motivated or able to take immediate action, or that the pole attachment and rental rates are the actual or only barrier to providers in underserved areas. The emergency designation would also result in immediate increased rates in “not underserved areas” without providing time to understand the consequences.

The OPA believes the best way forward is to let the Public Utilities Commission to continue their work in this area. The OPA would also like to suggest extending the deadline for the PUC report back to the committee.

Finally, the Office of the Public Advocate believes that there needs to be a more streamlined approach to addressing the expansion of broadband in the state, especially in rural areas. A more comprehensive bill that incorporates an all-encompassing approach that also involves the ConnectMaine Authority in the decision making process will be the best way to achieve this ambitious project instead of a number of bills that only address one or two issues and create inconsistencies in the process.

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 933, 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