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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 1666 “An Act To Direct the Public Utilities Commission to Implement a Statewide, Multi-use Online Energy Data Platform.”

The OPA commends Representative Kessler for submitting this bill. After speaking with the sponsor, it’s clear that he is following the progress of these data platforms across the nation and is modeling this proposal after recently passed legislation in neighboring New Hampshire. The information provided by such a platform would be beneficial to communities in Maine when setting their energy and infrastructure goals for years to come.

However, the Office of the Public Advocate believes there is possible risk that implementing such a platform could be cost-prohibitive. The OPA would like to note that many believed smart meters would allow customers access to energy use data that would allow them to change their consumption decisions. Instead, they added expense with minimal long-term benefits. Many then believed that if new updated billing systems would allow this functionality, but they did not, and they too have added expense with no immediate benefit. The OPA believes information on energy usage is vital to good policy and are optimistic this proposed data platform can succeed where smart meters fell short.

What the Office of the Public Advocate has found is that savvy consumers appreciate access to granular data, but that the majority simply want a utility bill that is simple and easy to understand. The interval data provided from smart meters has proven useful when our office has assisted municipalities develop their reports for the Global Covenant of Mayors Greenhouse Gas Inventory. While a platform would eliminate the need for the OPA to facilitate the conversation between the town and the utility, the OPA is concerned that the expense associated with the software investment given how infrequently these requests come to our office.

Additionally, the OPA would suggest Energy Service Provider participation in offering consumer friendly options. The OPA understands the sponsor's hesitation to involve the ESPs and that the purpose of the data was designed to be used by large scale customers and towns/cities, but Energy Service Providers could, theoretically, provide customers a bill credit to participate in programs that they manage that takes advantage of market and usage information to shift customer usage to lower cost periods. The OPA would be interested to learn more about whether there are vendors operating in other states in the region already.

Despite the sponsor's designation of the PUC as the entity administering this data platform, it is the opinion of the Office of the Public Advocate that housing this platform at Efficiency Maine Trust be considered if this bill does move forward and if EMT is amenable to such an undertaking. Their main focus is supposed to be to help individuals, businesses, and communities reach their energy efficiency goals. This is not the goal of the PUC. The Trust already has direct access to interval data from the electric utilities which would make the data flow more logical than through the PUC.

LD 1666 calls for an assessment on ratepayers to fund the effort. The OPA believes this could be an expensive proposal and because of that, would ask the committee to either propose a study to develop a better sense of what the total impact on ratepayers may be or to delay implementation of such a program. The committee

heard from New Hampshire's Consumer Advocate and my colleague, Donald Kreis, earlier today. His support for this bill is significant and hope the committee continues to use Mr. Kreis as a resource. But until New Hampshire's platform can provide the committee with additional information, it is our opinion that a study be conducted before Maine implements this type of policy.

In conclusion, the OPA would appreciate if the committee can mitigate the potential financial impact on ratepayers and address possible concerns about consumer privacy through amended language or other avenues.

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 1666, 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