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Testimony in Opposition
LD 469, “An Act to Prioritize State Access to Electricity Generated in Canada via
High-impact Electric Transmission Lines”
March 11, 2025

Senator Lawrence, Representative Sachs, and distinguished members of the Joint Standing Committee on Energy, Utilities and Technology,

My name is Heather Sanborn, here today as Public Advocate, to testify in opposition to LD 469, “An Act to Prioritize State Access to Electricity Generated in Canada via High-impact Electric Transmission Lines.” The OPA has serious concerns that this legislation may result in the loss of significant benefits to Maine ratepayers in the future.

LD 469 would prohibit, beginning December 31, 2026, the Public Utilities Commission (PUC) from issuing a certificate of public convenience and necessity (CPCN),¹ for the construction of a high impact electric transmission line² to deliver electricity generated in Canada to other states within the electric grid operated by the New England Independent System Operator (NEISO) unless at least 50% of the electricity delivered to the State will be allocated to and consumed within the State.

It’s not clear what projects this legislation is designed to target or how it would work. It seems like it might be attempting to fight the proverbial last war, rather than the ones ahead of us. With the New England Clean Energy Connect nearing completion, there are no current proposals to build additional transmission interconnections from Canada into Maine. Instead, the 2050 Transmission Study from ISO-NE and the recent longer-term transmission planning (LTTP) process have identified key transmission projects that need to

¹ 35-A MRSA §3132

² A high impact electric transmission line is defined in 35-A MRSA §3131 (4-A) as a transmission line greater than 50 miles in length that is constructed to transmit direct current electricity; or capable of operating at 345 kW or more and is not a generator interconnection facility and is not constructed primarily to provide electric reliability.

be built in Maine to safely, reliably, and cost-effectively move power around within the New England region to meet regional winter peak demands in 2035. Once Canadian electrons have entered our grid through the NECEC interconnection in Lewiston or through other existing grid ties with Quebec and New Brunswick, they are indistinguishable from all other electrons on the grid. All current and future transmission lines will, to some extent, move Canadian electricity through Maine, so it is unclear whether the requirements in this bill are intended to apply to all future transmission projects in the state. The transmission projects that will need to be built in Maine in the coming years will not be built to alleviate the north-south bottleneck in our electrical grid that will exist even if we were to cut off all importation of hydro-electric power from Quebec. Determining how much of the load on a line from Pownal, Maine to Hampton, New Hampshire, for example, will be generated in Canada over the course of a year is a fool's errand and not one that should be required to inform the granting of a CPCN for future lines.

Under current law, in considering the issuance of a CPCN for the construction of a transmission line, the PUC must consider and make specific findings regarding the “public need” for the transmission line. In determining public need, the PUC is required, at a minimum, to consider:

- Economics, reliability, public health and safety;
- Scenic, historic, and recreational values;
- State renewable energy generation goals;
- Proximity of the proposed transmission line to inhabited dwellings; and
- Nonwires alternatives to construction of the transmission line.³

Thus, a process already exists to ensure that a proposed high impact electric transmission line is not approved unless there are clear benefits to Maine. The bill in front of us today may have been worth debating prior to the approval of the NECEC line, where its impact at least could be imagined. But given our situation today, the provisions of the bill could create unfortunate and confusing requirements that would prevent the build-out of a safe, reliable, and efficient electrical grid.

³ 35-A MRSA §3132(6)

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 469 and will be available if requested for the work session to assist the Committee in its consideration of this bill.

Respectfully submitted,

Heather Sanborn
Public Advocate