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Testimony NFNA
LD 837, “An Act to Require the Office of the Public Advocate to Implement the State's Climate Action Plan”

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 neither for nor against LD 837, “An Act to Require the Office of the Public Advocate to Implement the State's Climate Action Plan.”

As drafted, the bill would require the Office of the Public Advocate (OPA) to implement Maine’s climate action plan. However, the OPA does not possess the authority or necessary tools to **implement** anything. We cannot issue orders or conduct procurements. Our mission at the OPA is **advocacy** on behalf of Maine’s utility ratepayers, with a particular focus on low-income, residential, and small business customers. As such, we would respectfully suggest amended language, reflecting both our advocacy (rather than executory) role and our focus on ratepayer affordability, which should remain at the very core of our mission as an office.

Strike the text of the bill and amend as follows:
35-A MRSA sec. 1702

10. Independent representation of the interests of the using and consuming public.

The Public Advocate, when taking a position on any matter in any proceeding or forum pursuant to the Public Advocate's authority under this chapter, shall exercise independent judgment to ensure the position:

A. Is consistent with the priorities established in section 1702-A and the requirements of this chapter; and

B. Is consistent with a cost-effective implementation of the state climate action plan pursuant to Title 38, section 577; and

C. Promotes stabilization and lowering of prices paid by those members of the using and consuming public whose interests the Public Advocate is representing.

This amended language makes clear that the OPA can contextualize the positions we take within the reality of Maine's clean energy transition, while retaining our focus on cost-effectiveness and affordability. We think such contextual considerations are already permitted. However, if the Committee wishes to add language to the OPA's authorizing statute directing us more explicitly in this manner, we hope that the Committee will consider doing so using this amended language.

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 837 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