



Is Maine's CEP-Served Residential Retail Electric Supply Market Affordable?

2026 Update

Prepared for the Maine Electric Ratepayer Advisory Council
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January 27, 2026

Contents

Executive Summary.....	4
Introduction	5
Purpose of the report	5
Review of previous reports	5
The present report	6
What are CEPs?	7
What is LIAP?	8
Sources for this analysis.....	9
Methodology	11
Statewide results	12
Standard offer rates	13
CEP rates	14
Statewide payment in excess of the standard offer	15
Focus on CEP rates	17
Variability in CEP rates	17
Total excess payments by month	19
Excess payments vary by CEP	20
How many customers benefit from the CEP market?	24
County-level results	25
Percent premium paid and excess payments	25
Town-level results	27
Focus on LIAP	31
Participation in LIAP is Increasing	33
LIAP participants are a growing portion of CEP business.....	33
LIAP and Non-LIAP CEP customers pay different rates.....	34
Average Losses to LIAP customers vary by CEP	36
LIAP budget	37
Summary and Recommendation.....	38

Tables

Table 1 CEPs operating in Maine in May 2025.....	8
Table 2 Income-based eligibility thresholds for HEAP.	9
Table 3 Characteristics of data sources.	11
Table 4 Maine's CEP market overview.....	12
Table 5 Standard offer rates.	14
Table 6 Usage-weighted average rates by year.....	15
Table 7 Residential payments to CEPs in excess of the standard offer.	16
Table 8 Variability in CEP rates, May 2025.....	17
Table 9 Excess payment to CEPs by month.....	20
Table 10 Net excess payment by CEP and month.	22
Table 11 Average overcharge per bill.	23
Table 12 Eight of 22 CEPs provided savings to consumers during the study period.....	24
Table 13 Number CEP customers experiencing losses and gains.	25
Table 14 Consumer losses outweigh consumer gains.	27
Table 15 Towns with low median household income and high premiums paid to CEPs.....	30
Table 16 Growth in LIAP participation.....	33
Table 17 LIAP participants are a growing percentage of CEP customer base.....	34
Table 18 LIAP customers pay a larger premium than non-LIAP customers.....	35
Table 19 Average CEP rates, LIAP versus non-LIAP, May 2025.....	36
Table 20 Average monthly losses per LIAP customer.	37
Table 21 Estimated annual excess payment by LIAP customers.	38

Figures

Figure 1 Variability in CEP rates, May 2025.....	18
Figure 2 Percent premium per kWh, May 2025.	26
Figure 3 Percent premium paid to CEPs, May 2025.....	28
Figure 4 Median household income and percent premium paid.	29
Figure 5 Participation in LIAP, May 2025, and median household income by county, 2023.	32

Appendices

- Appendix 1 ORDER AND PROTECTIVE ORDER No. 1, Docket No. 2025-00191, July 30, 2025, Office of the Public Advocate Request for Access to Competitive Electricity Provider Data. State of Maine Public Utilities Commission.
- Appendix 2 Aroostook County
- Appendix 3 Copies of letters requesting additional information from CEPs and Standard Offer suppliers
- Appendix 4 Percent premium paid by county
- Appendix 5 Participation in LIAP by county
- Appendix 6 January 26, 2026 CEP comments on OPA report

Executive Summary

The report was prepared to assist the Electric Ratepayer Advisory Council (“ERAC”) in fulfilling its mandate to evaluate the affordability of electricity in Maine.

Residential electricity customers in Maine have the option to purchase the supply portion of electricity from either the Public Utilities Commission-designated standard offer supplier, or from one of numerous competitive electricity suppliers. This report examines the differences in rates offered by the suppliers, and quantifies the financial outcomes for consumers who choose to purchase from a competitive supplier.

This report benefits from two key sources of data. One data set is publicly available from the U.S. Department of Energy’s Energy Information Administration (“EIA”). The other data set, which is not publicly available, is constructed from information provided to the Maine Office of the Public Advocate from the utilities Versant Power and Central Maine Power Company, pursuant to an Order and Protective Order issued by the Maine Public Utilities Commission.

The results of the analysis show that consumers who purchase supply from competitive suppliers generally pay more than they would have paid under the standard offer. In fact, the total excess payment to competitive suppliers over the nine-year period under analysis (2016 – 2024) is more than \$156 million. Another important finding is that customers participating in the *Low Income Assistance Program*, or “LIAP,” are a growing portion of the competitive suppliers’ business, and often pay a higher premium than customers who do not participate in LIAP.

Introduction

Purpose of the report

This report was prepared to assist the Electric Ratepayer Advisory Council (“ERAC”) in fulfilling its legal mandate¹ to evaluate the affordability of electricity in Maine. The rates offered as the standard offer for the supply portion of electricity service are determined by Maine’s Public Utilities Commission (“MPUC”) through its standard offer procurement process. In contrast, the rates charged by competitive electricity providers, also known as CEPs, are not similarly regulated. This differential regulation means that CEPs can charge rates well above or below the standard offer rate. The potential difference in rates affects the affordability of electricity to consumers who choose to purchase electricity supply through a CEP.²

This report focuses on the rates charged by CEPs to *residential* customers and summarizes the results of an extensive analysis of CEP billing data for this group.³ While commercial and industrial customers may also purchase supply from CEPs, their needs and expertise are very different from those of residential consumers and are not considered in this report.

Review of previous reports

The OPA has commissioned reports in previous years to assist ERAC with its mission. The most recent report⁴, written in December 2024, provided analysis of the CEP market for the years 2016 through 2023. Based on publicly available data for these eight years, the *2024 Report* found that Maine’s residential CEP customers had paid a total of \$135,000,000 more for electricity supply than they would have paid had they purchased standard offer

¹ See Maine Public Law 2021, Chapter 623 (LD 1913), which created the Electric Ratepayer Advisory Council and established its obligation to submit an annual report to the Joint Standing Committee on Energy, Utilities and Technology.

² Other significant portions of a customer’s electricity bill include charges for transmission and distribution service. The rates for these elements do not change based on the selection of a CEP to provide supply service.

³ Only residential customers served by Maine’s two investor-owned transmission and utilities, Versant Power and Central Maine Power Company, are within the scope of this report. Maine also has several consumer owned transmission and distribution utilities, but they serve a very small number of customers and operate under a different regulatory paradigm with regard to supply.

⁴ “Is Maine’s CEP-Served Residential Retail Electric Supply Market Affordable?,” prepared for Electric Ratepayer Advisory Council by Timothy E. Howington and Susan M. Baldwin, December 1, 2024 (*2024 Report*).

service.⁵ The *2024 Report* also found no clear evidence that CEP products marketed as “green” are substantially more “green” than is required by Maine’s Renewable Portfolio Standard, and noted that in many cases purportedly “green” offerings come with a higher rate for consumers.⁶ Finally, the *2024 Report* examined the impact of high CEP rates on low-income consumers, concluding that participants in Maine’s *Low Income Assistance Program* (“LIAP”) are disproportionately more likely than non-LIAP customers to purchase supply from a CEP, and also more likely to pay a higher rate.⁷

The present report

This report follows a similar methodology to the *2024 Report*, but benefits from incorporating analysis of much more granular market data. Previous reports to ERAC have relied on two sources of market data: public data acquired from the U.S. Department of Energy’s Energy Information Administration (“EIA”) through its annual Form 861 reporting, and confidential annual reporting by CEPs to the MPUC. The EIA Form 861 data is aggregated at the state level and by CEP, while the MPUC-provided data is aggregated at the level of service territory for each reporting company. Both sources provide data on a yearly basis only.

This report, for the first time, complements the public EIA-based data with data disaggregated to the municipal level for eight months over a five-year period. Specifically, following an MPUC order allowing the sharing of purported confidential data⁸, the utilities Versant Power (“Versant”) and Central Maine Power Company (“CMP”) provided to the OPA customer counts, usage, and rate data by CEP for residential customers throughout their service areas for the months of May and December from December 2020 through May 2025, providing a five-year time series of granular data about the CEP market in Maine.⁹ Importantly, this data also identifies customers as LIAP participant customers or non-LIAP customers.

⁵ Ibid. at 14.

⁶ Ibid, at 16 – 19.

⁷ Ibid, at 21 – 23.

⁸ *ORDER AND PROTECTIVE ORDER No. 1, Docket No. 2025-00191, July 30, 2025, Office of the Public Advocate Request for Access to Competitive Electricity Provider Data. State of Maine Public Utilities Commission.* Note that because the data are aggregated at the municipal level, no consumer-identifiable information is shared. See Appendix 1.

⁹ May and December of each year were chosen to capture the variability in electricity usage and in wholesale supply rates during different parts of the year.

One advantage of using data disaggregated to such a fine geographic level is that it allows us to see differences in participation in the CEP market from one place to another. Instead of simply looking at statewide roll-ups of CEP data, in this report we are able to see, for the first time, that Aroostook County, for example, has very few CEP customers. For this reason, and because Aroostook County participates in a different wholesale market from the rest of Maine, it is excluded from fine-detail analysis. Please see Appendix 2 for more details about Aroostook County.

This report does not include any data provided by the CEPs themselves beyond what is available through annual PUC reporting requirements. As a result, the report does not and cannot consider other differences between the supply product offered by CEPs and the standard offer, such as contract length, fixed or variable rate terms, and discounts on other products (such as smart home devices or other energy products like fuel oil). That information is not reported to the PUC or the utilities and therefore cannot be analyzed here.¹⁰

What are CEPs?

When Maine consumers sign up for electric service from their local investor-owned utility, they by default receive the standard offer for supply. The standard offer supply rate is established annually through a competitive bidding process overseen by the MPUC. Standard offer supply rates are generally set at a fixed price for a full calendar year, though in recent periods with high price volatility, the standard offer has been changed after six months. Customers also have the option of choosing to purchase supply from a third-party retail supplier, also known as a competitive electricity supplier, or CEP. Rates for CEP supply are unregulated, though there are substantial statutory protections for residential customers regarding CEP business practices.

¹⁰ The author of this report met with a small group that included representatives of two active CEPs in Maine's residential supply market in December 2025. Those representatives criticized the report for not analyzing issues like contract length, fixed or variable rate terms, and discounts on other products. However, the CEPs' representatives also declined to provide any additional data to supplement the data available through the MPUC and utility reporting. One representative indicated an interest in speaking one-on-one with the author to provide context regarding business operations. We welcomed such a meeting, however the company never followed up to schedule a discussion.

CEPs are constantly entering and exiting the market. Table 1 shows the CEPs providing service to residential customers in Maine during May 2025.¹¹

CEPs Operating in Maine, May 2025
Ambit Energy
BP Energy
Champion Energy
Clearview Electric
CN Brown Electricity
Constellation New Energy
Direct Energy
Electricity Maine
Engie Resources
First Point Power
Great American Gas & Electric
Major Energy Electric Services
New Brunswick Energy
NextEra Energy Services
North American Power and Gas
Public Power
Shell Energy
SmartEnergy
Think Energy
Town Square Energy
Xoom Energy Maine

Table 1 CEPs operating in Maine in May 2025.¹²

What is LIAP?

The *Low Income Assistance Program*, or “LIAP,” is a ratepayer-funded program established by state law that aids low-income homeowners and renters in meeting their electricity costs. LIAP is administered by the transmission and distribution utilities in Maine according to Public Utilities Commission rules. Customers who are eligible for the federal low-income heating assistance program (called HEAP in Maine) are generally also eligible for LIAP, as well as any customer with a household income below 150% of the Federal Poverty

¹¹ Note that other CEPs may have provided service to commercial or industrial, but not residential, customers during this period.

¹² Based on information provided by CMP and Versant responses to the OPA.

Level.¹³ In the most recent program year, over 43,000 electricity customers were enrolled in LIAP.¹⁴

Table 2 shows the income thresholds used to assess income eligibility for HEAP for households of various sizes.

HOUSEHOLD SIZE	HOUSEHOLD INCOME		
	1 MONTH	3 MONTHS	12 MONTHS
1	\$3,070	\$9,209	\$36,836
2	\$4,014	\$12,043	\$48,170
3	\$4,959	\$14,876	\$59,504
4	\$5,903	\$17,710	\$70,839
5	\$6,848	\$20,543	\$82,173
6	\$7,792	\$23,377	\$93,507
7	\$7,969	\$23,908	\$95,632
8	\$8,146	\$24,439	\$97,757
9	\$8,324	\$24,971	\$99,882
10	\$8,501	\$25,502	\$102,008

Table 2 Income-based eligibility thresholds for HEAP.¹⁵

By way of comparison, according to the U.S. Census Bureau, the annual median household income in Maine was \$76,442 in 2024.¹⁶

Sources for this analysis

This report relies on two main sources of data specific to the retail electric supply market in Maine, the U.S Department of Energy’s Energy Information Administration (“EIA”) and the

¹³ HEAP eligibility is set at 60% of area median income. However, not all utility customers, particularly renters, are not responsible for their own heating bills. As a result, many low-income customers do not apply for HEAP. Thus, prior to recent eligibility expansions, LIAP assistance did not reach many who needed it.

¹⁴ In addition to all HEAP recipients, eligibility for LIAP was expanded in 2023 to include any customer enrolled in a Maine Department of Health and Human Services income-qualified program with a household income of less than 150% of FPL. This expansion of eligibility means more Maine residents who do not apply for HEAP now qualify for LIAP through this alternative eligibility route. The Federal Poverty Level for a family of four in 2025 is an annual income of \$32,150. ([Federal Poverty Level \(FPL\) - Glossary | HealthCare.gov](#)). 150% of this level is \$48,225.

¹⁵ Maine State Housing Authority.

¹⁶ U.S. Census Bureau, *Household Income in States and Metropolitan Areas: 2024*, September 2025 ([Household Income in States and Metropolitan Areas: 2024](#)).

two public investor-owned electric utilities in Maine, CMP and Versant. In addition to these sources, we also reference demographic data gathered by the U.S. Census Bureau.

The data acquired from the EIA has several benefits, but also some shortcomings. While EIA data provides a consistent annual summary of operating data from all CEPs serving customers in Maine, it aggregates this data at the state level. EIA data provides total sales (in megawatt-hours), revenues, and customer counts for each CEP for the entire year. While the annual reporting is suitable for high-level analysis, this level of aggregation masks variation in rates provided by each CEP and also masks any spatial variation in CEP activity.

An important, and novel, source of data for this report is the public utilities, CMP and Versant. In response to a request by the OPA, Versant and CMP provided data which creates a series of market snapshots spanning the period of December 2020 through May 2025.¹⁷ A key advantage of these twice-a-year snapshots is that they disaggregate billing data by the month, town or city, CEP, rate paid, and LIAP enrollment status.¹⁸ This level of disaggregation facilitates the analysis of electricity rates paid at a very granular level along several dimensions. Not only can this data be used to examine the variation in rates charged *between* CEPs, it can also demonstrate the variation in rates charged *by* each CEP, as well as changes in rates over time and in different geographies. Only the utilities have access to all the data that makes this analysis possible.

Table 3 highlights some of the characteristics in the data available from these sources.

¹⁷ Because of a change in Versant's database systems, the data found in the first two snapshots, December 2020 and May 2021, are incomplete, and therefore incompatible with the remainder of the data. For this reason, these two snapshots from Versant and CMP are disregarded for the purposes of this analysis. Instead, this report relies on the 8 snapshots spanning the period December 2021 through May 2025.

¹⁸ Note that because data is aggregated at the municipal level, no customer identifiable information such as names, addresses, or account numbers are provided by the utilities.

Data Sources	
Energy Information Administration	Utilities
Public	Confidential
Residential-only is available	Residential-only is available
Statewide aggregation	Statewide by town/city
Annual; 2024 most recent	May and December 2020-2025
Data separately for low-income accounts unavailable	Data separately for low-income accounts (LIAP) available

Table 3 Characteristics of data sources.

Methodology

The methods used in this report to evaluate the affordability of supply provisioned by CEPs are the same as those used the *2024 Report*. That is, the actual amount of money a CEP customer spent on supply is compared to the counterfactual of what the CEP customer *would have paid*, had she instead chosen to purchase the standard offer supply. In earlier reports, this calculation was necessarily an estimate because the best available data, the EIA Form 861 data described above, aggregates operating results state-wide for the whole year, which effectively averages out variation among customers.

Using the same methodology, but applied at the much more granular level of the combination of customer town, the CEP provisioning supply, the rate paid, and the customer's LIAP status, allows for a more accurate measurement of the difference between payment to CEPs and the counterfactual alternative. The differences are then summarized according to the goals of the analysis in question, whether that is a comparison by month, between counties, or by type of customer.

Discussions with representatives from CEPs in December 2025, after their review of an initial draft of this report, led to further refinement of our methodology. Namely, we analyzed how net payments in excess of standard offer vary by company. We also further analyzed the extent to which particular companies charge LIAP customers more than non-

LIAP customers.¹⁹ Disaggregating the data at the company level was a useful methodological improvement, and we thank the CEPs we spoke with for their suggestions in this regard.

Statewide results

Non-confidential data available from the EIA provides an overview of the market for competitive electric supply in Maine. Table 4 presents a summary of annual data for retail suppliers serving Maine residential customers: the total CEP revenues over the course of a year, the amount of electricity provisioned, and the end-of-year CEP total customer count. Importantly, these data are reported each year by the CEPs in a systematic format, thereby minimizing year-to-year inconsistencies.

CEP Residential Market in Maine			
Year	Revenues	mWh	Customers
2016	\$80,200,000	792,916	117,544
2017	\$69,055,800	723,472	112,504
2018	\$70,964,600	685,362	105,786
2019	\$62,434,200	535,970	76,053
2020	\$52,701,700	471,783	67,730
2021	\$48,996,200	450,870	64,279
2022	\$58,644,600	415,484	62,100
2023	\$76,059,200	412,066	64,855
2024	\$67,651,300	439,987	67,006

Table 4 Maine's CEP market overview.²⁰

Although it is evident from the table that the CEP market experiences some year-to-year variability, there are also clear trends. For example, the CEP customer base has been in decline over the period 2016 through 2024. Despite a slight increase of 5,000 CEP

¹⁹ The CEP representatives also suggested that we consider whether very high users of electricity were skewing our results. We conducted an analysis filtering out very high users and determined that this variable did not to have any significant effect on the report's conclusions.

²⁰ EIA Form 861, 2016-2024.

customers from 2022 to 2024, the overall customer base dropped 43% over eight years. Similarly, with fewer customers, CEPs are providing less electricity to customers. Megawatt-hours provided declined by 45% over this period. And although the gross revenues CEPs earn each year have also declined, they have declined less rapidly than either customer base or the amount electricity provided. In fact, gross revenues have shrunk by only 16% over this period. This means that CEPs are now earning more in gross revenue, on average, from each customer. In 2016, for example, CEPs earned revenues of \$682 per Maine household, on average. In 2024 the average revenue per household was \$1010, an increase of 48%.²¹

Standard offer rates

Standard offer rates, depicted in Table 5, are the rates electricity customers pay if they purchase the standard offer for their electricity. These rates represent the supply portion of the customer's utility bill.²² Standard offer rates are determined in a formalized bidding process with prospective retail electricity marketers in which the PUC accepts the lowest bid that meets the PUC's and the utilities' requirements.

Note that the utilities essentially act as "billing agents" for the supply portion of the bill, whether the customer is taking the standard offer or purchasing supply from a CEP, except to the extent a CEP may elect to bill separately for its supply service. Although the retail electricity marketers build in a profit margin and risk premium when bidding to supply electricity, the supply portion of the bill is not marked up by the MPUC or the utilities.

The profit margin and risk premium are charged by *all* retail electricity markets, whether they are the winning bidders offering supply as the standard offer, or a non-standard offer CEP. This implies, however, that any CEP *could be* as efficient as the supplier winning the standard offer bid, and if desiring to be *competitive, should be* able to offer supply at a similar rate.

Although standard offer rates in Maine are generally fixed for a period of one year, the table shows two instances (i.e., 2023 and 2024) where the rate has changed during the year.

²¹ Note that CEPs' cost of supply may have increased over this period along with gross revenues. Thus, an increase in gross revenues per customer does not necessarily imply an increase in profits per customer.

²² Other major components of the electricity bill include charges for transmission and distribution, which pay for the infrastructure required to deliver electricity from the generation station to the customer premises.

Standard Offer Rates			
	Central Maine Power	Versant Bangor Hydro District	Versant Maine Public District
2016	\$0.065	\$0.066	\$0.083
2017	\$0.067	\$0.063	\$0.071
2018	\$0.079	\$0.072	\$0.074
2019	\$0.090	\$0.084	\$0.085
2020	\$0.073	\$0.069	\$0.067
2021	\$0.064	\$0.062	\$0.060
2022	\$0.118	\$0.117	\$0.111
2023	\$0.176 / \$0.166	\$0.164 / \$0.154	\$0.149
2024	\$0.108 / \$0.106	\$0.108 / \$0.103	\$0.113
2025	\$0.106	\$0.106	\$0.117

Table 5 Standard offer rates.²³

Careful examination of the table of standard offer rates above reveals a dramatic jump in rates in 2022 and 2023 compared to previous years. This jump was due to major dislocations in the wholesale market for electricity. In particular, the Russian invasion of Ukraine in early 2022 caused a spike in the price of natural gas²⁴, which is an important fuel in the generation of electricity.

CEP rates

While the standard offer is fixed for *all* residential customers, typically for a one year period, rates offered by CEPs may vary customer-by-customer, according to when the customer signs up for service, the length of contract she agrees to, and her success in negotiating a better deal. Therefore, CEPs may, at any particular time, offer numerous different rates to their customers. Table 6 shows the usage-weighted average rates by CEP for each year under analysis, as well as the usage-weighted standard offer rate in effect each year.²⁵ Cells highlighted in green indicate CEP average rates that are lower than the corresponding standard offer rate, which represent a net gain for consumers. It is clear from this table that in some years, some CEPs provided savings, on average, to their customers relative to the standard offer rate. However, the column for 2024 clearly shows

²³ Maine Public Utilities Commission.

²⁴ Brad Plummer, Harry Stevenes, and Rebecca F. Elliott, "Why the Price of Electricity is Spiking Around the Country," *The New York Times*, October 30, 2025.

²⁵ Usage-weighted average rates are calculated by dividing the total revenues by the total kilowatt-hours provisioned.

that *no CEP provided savings, on average, to their customers*. Furthermore, as detailed below, even though *some customers might experience savings some years*, the CEP market *as a whole* produces a net loss for consumers *as a whole every year*. The financial losses for consumers who pay more than the standard offer rate far outweigh the gains by those who manage to pay less.

CEP	2016	2017	2018	2019	2020	2021	2022	2023	2024
Standard Offer	\$0.065	\$0.067	\$0.079	\$0.090	\$0.073	\$0.064	\$0.118	\$0.170	\$0.107
Agera Energy LLC	\$0.080	\$0.078	\$0.088	\$0.088					
Ambit Energy Holdings, LLC	\$0.071	\$0.076	\$0.081	\$0.099	\$0.082	\$0.071	\$0.124	\$0.173	\$0.156
C. N. Brown Electricity, LLC	\$0.096	\$0.088	\$0.087	\$0.084	\$0.080	\$0.074	\$0.097	\$0.134	\$0.126
Clearview Electric Inc.	\$0.112	\$0.109	\$0.114	\$0.174	\$0.167	\$0.171	\$0.192	\$0.296	\$0.238
Constellation Energy Services, Inc.	\$0.074	\$0.072							
Constellation NewEnergy, Inc		\$0.063	\$0.070	\$0.067	\$0.068	\$0.067	\$0.072		
Electricity Maine, LLC	\$0.104	\$0.099	\$0.106	\$0.121	\$0.121	\$0.121	\$0.140	\$0.227	\$0.168
Energywell LLC							\$0.133	\$0.150	\$0.130
ENGIE Retail, LLC	\$0.085	\$0.066	\$0.090	\$0.095	\$0.091	\$0.092	\$0.138		
FairPoint Energy LLC	\$0.092	\$0.085	\$0.112	\$0.143	\$0.138	\$0.139	\$0.157	\$0.212	\$0.207
First Point Power, LLC	\$0.078	\$0.078	\$0.085	\$0.084	\$0.082	\$0.075	\$0.084	\$0.106	\$0.109
Major Energy Electric Services							\$0.200	\$0.163	\$0.145
Mega Energy of Maine, LLC	\$0.096	\$0.109	\$0.131	\$0.133		\$0.134	\$0.163	\$0.193	
North American Power and Gas, LLC	\$0.103	\$0.110	\$0.107	\$0.120	\$0.119	\$0.123	\$0.145	\$0.173	\$0.151
SmartEnergy Holdings, LLC					\$0.073	\$0.095	\$0.162	\$0.181	\$0.166
Town Square Energy			\$0.101	\$0.106	\$0.106	\$0.130	\$0.179	\$0.193	\$0.147
Union Atlantic Electricity			\$0.100						
XOOM Energy Maine, LLC	\$0.088	\$0.092	\$0.110	\$0.099	\$0.111	\$0.106	\$0.164	\$0.136	\$0.133

Table 6 Usage-weighted average rates by year.²⁶

Statewide payment in excess of the standard offer

By comparing the average CEP rates to the standard offer rates, it is possible to develop an estimate of consumer overpayment by year. Because the EIA data details how much electricity CEP customers purchased, we can calculate what the customers *would have paid* had they elected to take the standard offer. The difference between what consumers actually paid and what they *would have paid* is shown in Table 7 below.

²⁶ EIA Form 861, 2016-2024.

Residential Payments in Excess of Standard Offer				
Year	Average CEP Rate	Standard Offer Rate	Overpayment	Percent Overpayment
2016	\$0.101	\$0.065	\$28,885,648	56%
2017	\$0.095	\$0.067	\$20,865,330	43%
2018	\$0.104	\$0.079	\$17,062,249	32%
2019	\$0.116	\$0.090	\$14,454,702	30%
2020	\$0.112	\$0.073	\$18,481,864	54%
2021	\$0.109	\$0.064	\$20,060,265	69%
2022	\$0.141	\$0.118	\$9,616,242	20%
2023	\$0.185	\$0.170	\$5,953,587	8%
2024	\$0.154	\$0.107	\$20,632,089	44%
2016-2024 Total Overpayment			\$156,011,976	

Note: Average CEP Price is a weighted by kWh consumed.

Table 7 Residential payments to CEPs in excess of the standard offer.²⁷

What is clear from Table 7 is that residential CEP customers (in aggregate) consistently pay more for electricity than they would under the standard offer. The years 2022 and 2023 represent outliers in the results, with lower overpayment than usual, because standard offer rates were pushed higher during this period due to turbulence in the wholesale market (discussed above) where standard offer suppliers (and CEPs) purchase electricity. The 2024 results show a return to the “normal” situation – substantial overpayment. The column “Percent Overpayment” shows that in 2024, for example, CEP customers paid a premium of 44% on their electricity bills relative to those who chose service under the standard offer.

➤ **Every year CEP customers pay more in aggregate for electricity supply than they would pay with default service.**

²⁷ EIA Form 861, 2016-2024.

Focus on CEP rates

Variability in CEP rates

The data provided by EIA is valuable as a resource for building aggregate, macro-level summaries. Using data provided by Versant and CMP, though, we can move beyond year-long, state-level averages, and look at rates by CEP, by geography, and over time.²⁸ Table 8 shows the range in rates charged by CEPs in May 2025, the most recent period for which data is available. (The identities of CEPs are masked using “CEP_ID” to protect confidential company information.) This table shows that every CEP charged at least two different rates to its residential customers. Several CEPs charged more than 100 rates in May 2025.

There is Tremendous Variability in CEP Rates: May 2025			
CEP_ID	Number of Rates	Minimum Rate	Maximum Rate
5	14	\$0.126	\$0.158
10	41	\$0.097	\$0.200
15	62	\$0.096	\$0.229
20	30	\$0.101	\$0.238
25	102	\$0.064	\$0.165
30	109	\$0.050	\$0.249
35	2	\$0.098	\$0.119
40	113	\$0.072	\$0.189
45	45	\$0.078	\$0.226
50	14	\$0.068	\$0.165
55	64	\$0.105	\$0.190
60	123	\$0.060	\$0.210
65	9	\$0.069	\$0.151
70	27	\$0.095	\$0.189
75	14	\$0.068	\$0.174
80	21	\$0.097	\$0.200
85	27	\$0.061	\$0.225
90	116	\$0.061	\$0.156
95	32	\$0.071	\$0.165

Table 8 Variability in CEP rates, May 2025.²⁹

²⁸ Data reported by CMP and Versant included some records indicating very high monthly usage. OPA sought clarification on these records from the utilities. CMP and Versant both confirmed that the high-usage records in question are residential customers, and that some degree of high usage is expected.

²⁹ Based on information provided by CMP and Versant to the OPA pursuant to order of the MPUC.

One CEP, identified in Table 8 as CEP 30, charged 109 different rates across its customer base in May 2025. The highest rate paid is nearly *five times* the lowest rate paid. Figure 1 below provides a visual representation of variation in rates *among* CEPs, and *by* individual CEPs. In this figure each CEP is represented by a vertical bar. The highest rate charged by the CEP is shown as the marker at the top of that CEP's bar, while the lowest rate charged is at the bottom. The colored balls in each vertical line represent the usage-weighted average rate for that CEP.

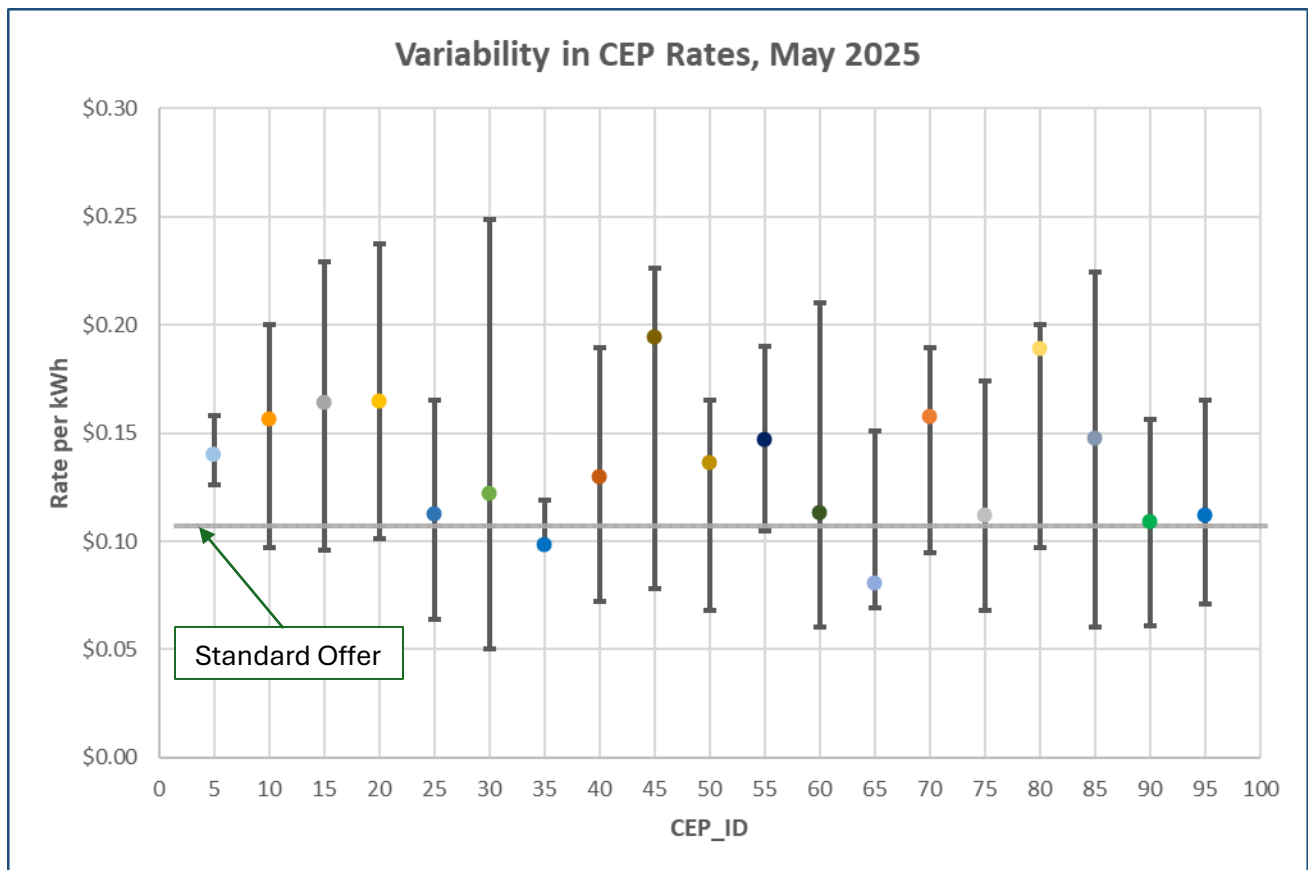


Figure 1 Variability in CEP rates, May 2025.³⁰

It is worth remembering that the standard offer rate available during May 2025 was \$0.106128 per kWh in the CMP service area, and \$0.105628 per kWh in the Versant service

³⁰ Based on information provided by CMP and Versant to the OPA pursuant to MPUC order. Average rates are weighted by usage.

area. This is depicted by the horizontal grey line. Most of the colored balls indicating the average rates fall *above* the grey line. Two colored balls are below the standard offer line.

Why do CEPs charge multiple rates? One possible reason is that some CEPs offer service under contracts of various durations, e.g. six months, one year, two years, etc. In this instance, each duration might be associated with a different rate, which might reflect not only the provision of supply, but also a component similar to an insurance premium which may protect the customer from an increase in the standard rate. Another possible reason for multiple rates is that some CEPs offer a variety of products, some described as more environmentally friendly, or “greener”, than other products. These CEPs might charge the consumer a premium for purchasing the “greener” products.³¹ CEPs *may*, in addition, provide other, non-supply-related benefits to consumers.³²

Total excess payments by month

Using the municipal-level data provided by the utilities, which includes the rate paid per kilowatt-hour and amount of electricity purchased, we can more granularly quantify the payments to CEPs in excess of what the average CEP customer would have paid had she selected the standard offer. Table 9 shows, for each of the eight months under analysis, the average premium paid per kWh for being a CEP customer. The column “Total Excess Payments” provides the sum of excess payment over all CEP customers for each month. The column “Percent Premium” shows in percentage terms, how much higher the supply portion of the average CEP customer bill is compared to the bill of the customer who selects the standard offer.

³¹ The *2024 Report* found no evidence that “green” products offered by CEPs were more environmentally friendly than products offered under Maine’s Renewable Portfolio Standard. (*2024 Report*, at 16 – 19.) While the PUC regulates rules attributing electricity supply to “green” sources, the utilities, which provided data for this report, have no information about the quality or attributes of the “green” supply provided. This data is only available from CEPs.

³² During the writing of this report, several CEPs were requested to voluntarily provide examples of non-supply-related benefits provided to customers, along with the value of such benefits. See Appendix 3. No CEP provided any data in response to this request.

Excess Payments to CEPs				
Year	Month	Premium per kWh	Total Premium	Percent Premium
2021	Dec	\$0.052	\$2,162,359	81%
2022	May	\$0.015	\$436,642	12%
2022	Dec	\$0.055	\$2,056,591	47%
2023	May	\$0.014	\$434,072	8%
2023	Dec	\$0.002	\$107,017	1%
2024	May	\$0.038	\$1,296,805	35%
2024	Dec	\$0.037	\$1,454,359	35%
2025	May	\$0.036	\$884,483	34%

Premium per kWh is the average excess rate charged by CEPs beyond the standard offer rate in effect at that time.

Total Premium is the amount paid by CEP customers in excess of what they would have

Percent Premium is the amount paid by CEP customers in excess of what they would have paid via the standard offer expressed as a percentage.

Table 9 Excess payment to CEPs by month.³³

The Total Premium is generally higher in December than in May because spot prices for energy (e.g. natural gas) that CEPs rely on are generally higher in December than in May. The low Total Premiums in May and December 2023 reflect the higher standard offer rates in effect at that time, as described above. The higher standard offer rates caused a temporary narrowing of the gap between standard offer rates and the CEP rates for those months, and thus lower premiums paid by CEP customers.

Excess payments vary by CEP

While Table 9 above shows the aggregate financial losses accruing to consumers by paying above the standard offer, these losses are not equally attributable to all CEPs. The data

³³ Based on information provided to the OPA from CMP and Versant pursuant to MPUC order. This analysis was repeated, excluding records indicating more than 2000 kWh of usage in a month, to examine the importance of the high-usage customers. The results show that the CEP customers with unusually high usage generally pay a better rate than the other CEP customers. In particular, excluding the high-usage customers from this analysis *increases* the resulting percent premium, indicating that the high-usage customers pay a *lower* percent premium than other customers.

provided by the utilities show that individual CEPs sometimes provide consumers with a financial gain, rather than a loss.

Table 10 shows the net payment in excess of the standard offer by CEP for each month of the study period.³⁴ Cells highlighted in green indicate net gains for consumers during that month, for that CEP. Although CEP customers in aggregate lose financially each month, this table clearly shows that the majority of financial harm is in some cases attributable to only a few CEPs. In May 2025, for example, two CEPs (CEPs 10 and 15) alone accounted for 58% of the total losses.³⁵ Even more striking, these two CEPs caused losses *greater than the aggregate total loss* in May 2023 and December 2023. Six of the CEPs provided no net financial benefit to consumers during any of the study period months.

³⁴ Note that some CEPs shown in this table did not provide supply to residential customer during the study period months. In these cases, the net excess payment is shown as \$0.

³⁵ CEPs 10 and 15 accounted for 27,369 customers in May 2025. This amounts to 46% of the CEP customers during that month.

Net Payment in Excess of the Standard Offer by Study Month and CEP								
CEP_ID	Dec 2021	May 2022	Dec 2022	May 2023	Dec 2023	May 2024	Dec 2024	May 2025
5	\$952	(\$33)	(\$45)	(\$245)	(\$758)	\$939	\$980	\$775
10	\$1,026,284	\$217,155	\$873,902	\$504,900	\$409,168	\$330,576	\$363,251	\$226,431
15	\$461,663	\$159,002	\$754,501	\$137,981	\$133,746	\$467,947	\$537,328	\$285,519
20	\$26,956	\$25,062	\$41,650	\$17,218	\$16,915	\$48,186	\$93,154	\$57,601
25	\$33,440	(\$59,207)	(\$11,684)	(\$115,494)	(\$118,519)	\$46,239	\$40,833	\$15,678
30	\$3,620	(\$9,169)	(\$3,727)	(\$12,948)	(\$17,266)	\$7,541	\$7,465	\$6,132
35	\$0	\$0	\$0	\$0	(\$2,148)	(\$382)	(\$309)	(\$335)
40	\$6,149	(\$27,142)	(\$28,719)	(\$59,201)	(\$34,543)	\$5,893	\$9,552	\$5,917
45	\$183,192	\$52,607	\$147,036	\$52,566	\$79,816	\$109,148	\$125,543	\$79,483
50	\$30,154	\$14,531	\$32,763	(\$28,869)	(\$180,151)	\$79,358	\$103,889	\$64,106
55	\$748	\$8	\$45,697	(\$12,763)	\$1,560	\$75,031	\$59,140	\$40,803
60	\$1,776	(\$6,550)	(\$2,739)	(\$26,561)	(\$69,797)	\$6,821	\$9,121	\$6,962
65	\$465	(\$795)	(\$715)	(\$1,032)	(\$13,256)	(\$3,481)	(\$5,368)	(\$4,227)
70	\$121,119	\$32,825	\$57,377	\$3,816	\$737	\$43,949	\$53,794	\$32,504
75	\$62	(\$965)	(\$898)	(\$51)	(\$153)	(\$1,474)	\$296	\$247
80	\$65,274	\$23,839	\$63,516	\$54,405	\$28,195	\$29,269	\$20,996	\$12,283
85	\$114,690	\$20,456	\$86,106	\$18,423	(\$7,928)	\$8,948	\$44,029	\$31,501
90	\$3,950	(\$26,083)	(\$28,221)	(\$79,449)	(\$57,184)	\$1,068	(\$54,780)	\$4,941
95	\$75,136	\$19,130	\$26,999	(\$18,622)	(\$61,417)	\$41,230	\$45,444	\$18,163
100	\$83	\$0	\$0	\$0	\$0	\$0	\$0	\$0
105	\$5,637	\$1,970	\$3,793	\$0	\$0	\$0	\$0	\$0
110	\$1,010	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$2,162,359	\$436,642	\$2,056,591	\$434,072	\$107,017	\$1,296,805	\$1,454,359	\$884,483

Table 10 Net excess payment by CEP and month.³⁶

The total losses shown in Table 10 is composed of two factors, each CEP's average rate in excess of the standard offer, and that CEP's market share. When the market share portion of the consumer losses is removed, what remains is the average loss per customer. This is shown in Table 11. The cells highlighted in green indicate an average financial gain per customer, while the cells highlighted in red indicate an average loss of more than \$20 per customer.

³⁶ Based on information provided to the OPA from CMP and Versant pursuant to MPUC order.

Average Overcharge per Bill by Study Month and CEP								
CEP_ID	Dec 2021	May 2022	Dec 2022	May 2023	Dec 2023	May 2024	Dec 2024	May 2025
5	\$5.56	-\$33.00	-\$44.00	-\$20.42	-\$9.96	\$11.58	\$12.88	\$10.46
10	\$36.66	\$8.06	\$35.59	\$25.87	\$22.33	\$19.88	\$24.51	\$18.61
15	\$43.68	\$13.37	\$66.70	\$8.58	\$7.16	\$24.03	\$30.72	\$18.78
20	\$4.70	\$4.52	\$8.38	\$3.94	\$4.20	\$14.93	\$34.39	\$23.49
25	\$11.64	-\$11.81	-\$3.26	-\$21.20	-\$22.21	\$9.64	\$9.55	\$3.59
30	\$6.53	-\$16.49	-\$6.02	-\$40.33	-\$28.30	\$13.59	\$11.63	\$9.58
35	\$0.00	\$0.00	\$0.00	\$0.00	-\$1,073.50	-\$190.50	-\$154.50	-\$167.00
40	\$5.07	-\$22.14	-\$23.56	-\$47.55	-\$54.57	\$9.41	\$17.18	\$11.60
45	\$34.20	\$8.26	\$30.79	\$11.89	\$19.97	\$30.04	\$37.31	\$25.46
50	\$37.74	\$17.68	\$44.21	-\$14.12	-\$24.71	\$13.73	\$21.96	\$16.19
55	\$35.57	\$0.14	\$83.09	-\$3.48	\$0.30	\$15.33	\$16.21	\$16.64
60	\$9.39	-\$22.05	-\$13.90	-\$33.54	-\$35.89	\$1.85	\$5.26	\$4.17
65	\$2.78	-\$4.73	-\$4.33	-\$6.25	-\$490.93	-\$386.67	-\$77.80	-\$37.74
70	\$42.98	\$12.48	\$24.40	\$1.75	\$0.29	\$19.06	\$27.49	\$19.36
75	\$31.00	-\$160.83	-\$128.29	-\$10.20	-\$21.71	-\$122.83	\$13.45	\$10.70
80	\$47.30	\$19.01	\$58.49	\$59.85	\$32.98	\$39.98	\$34.88	\$21.70
85	\$35.06	\$11.50	\$34.54	\$10.82	-\$2.91	\$3.47	\$22.01	\$12.43
90	\$3.62	-\$23.20	-\$25.42	-\$44.34	-\$31.61	\$0.51	-\$29.01	\$2.18
95	\$35.14	\$8.78	\$14.14	-\$7.29	-\$14.81	\$11.03	\$12.25	\$2.96
100	\$20.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
105	\$47.36	\$16.01	\$49.91	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
110	\$1,010.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Table 11 Average overcharge per bill.³⁷

So, while CEPs 10 and 15 are responsible for the greatest financial harm *in aggregate* in May 2025, several CEPs charged an average of \$10, \$20, or even more, per customer, in excess of the standard offer during this month.

However, Table 10 and Table 11 also show that *it is possible* for CEPs to deliver financial gains to consumers. In May 2025, for example, CEP 35 and CEP 65 each provided savings, in aggregate, to their customers. Several other CEPs provided savings during other study months. Table 12 shows the total excess payment by CEP for the eight months of the study periods. In the eight months of the study period, eight of the CEPs provided a financial gain, in aggregate, to consumers. These gains, though, were eclipsed by the net losses attributable to the other fourteen CEPs.

³⁷ Based on information provided to the OPA from CMP and Versant pursuant to MPUC order.

Eight of 22 CEPs Provided Savings to Consumers during the Study Period

CEP_ID	Total
5	\$2,564
10	\$3,951,667
15	\$2,937,687
20	\$326,741
25	(\$168,713)
30	(\$18,351)
35	(\$3,173)
40	(\$122,093)
45	\$829,391
50	\$115,781
55	\$210,224
60	(\$80,969)
65	(\$28,408)
70	\$346,120
75	(\$2,937)
80	\$297,776
85	\$316,224
90	(\$235,758)
95	\$146,064
100	\$83
105	\$11,400
110	\$1,010

Table 12 Eight of 22 CEPs provided savings to consumers during the study period.³⁸

It is clear, then, that while the CEP market causes substantial consumer loss as a whole, some CEPs *can* provide financial benefits to consumers in some months.

How many customers benefit from the CEP market?

From the wide variation in CEP rates and monthly totals shown above, it is clear that some CEP customers pay *less* than they would under the standard offer. The data from the EIA obscures this information by aggregating data over the whole year for each CEP. Using the data provided by CMP and Versant, however, we can quantify exactly how many consumers benefit from being a CEP customer, and how many suffer a financial loss. Table 13 shows

³⁸ Based on information provided to the OPA from CMP and Versant pursuant to MPUC order.

this accounting for each month of the study period. Taking the most recent month as an example, 51,474 CEP customers paid more than they would have under default service, while 8,459 paid less. In other words, six times as many customers faced a financial loss as the number who benefited financially.

Consumers Facing a Loss Consistently Outnumber Consumers with a Gain				
Year	Month	# of Consumers with Loss	# of Consumers with Gain	Ratio Loss to Gain
2021	Dec	60,375	6,094	9.9
2022	May	45,597	22,378	2.0
2022	Dec	47,950	13,774	3.5
2023	May	35,294	31,938	1.1
2023	Dec	39,179	39,060	1.0
2024	May	64,533	10,310	6.3
2024	Dec	58,158	6,142	9.5
2025	May	51,472	8,459	6.1

Table 13 Number CEP customers experiencing losses and gains.³⁹

May 2025 is not an outlier, either. December 2021 shows the ratio of customers with a loss to customers with a gain at nearly 10x. Even in December 2023, when standard offer rates were artificially elevated, more CEP customers faced a loss than a gain.

- **CEPs charge a multitude of rates each month.**
- **A minority of CEP customers gain financially as a CEP customer.**
- **Most CEP customers pay more than if they had taken the standard offer.**

County-level results

Percent premium paid and excess payments

While the statewide results are useful for understanding the broad dimensions of the CEP market and for examining trends over time, it does not provide any insights into geographic

³⁹ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

disparities in rates, or the variation in rates offered by a single CEP. The local-level data provided by Versant and CMP allows this type of analysis. Figure 2 shows the percent premium paid by CEPs customers, aggregated to the county level, in May 2025.

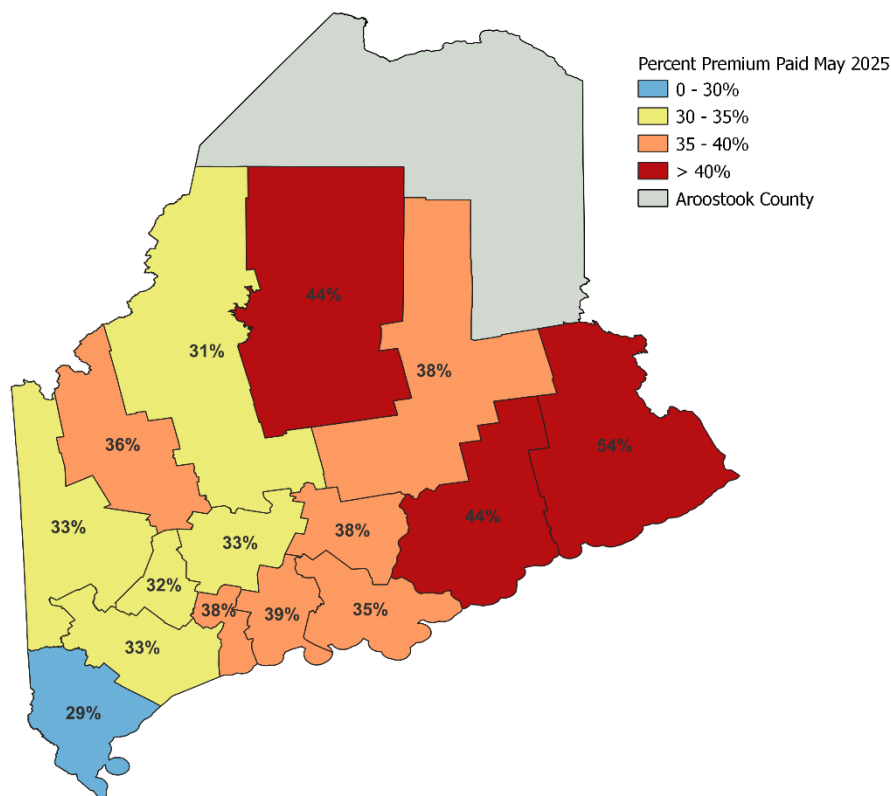


Figure 2 Percent premium per kWh, May 2025.⁴⁰

This image clearly shows that there is significant geographic variation in the experiences of CEP customers in Maine. While CEP customers in York County paid a premium of only 29% in May 2025, CEP customers in Washington, Hancock, and Piscataquis Counties paid between 44% and 54% extra for electricity supply. CEP customers in all Maine counties suffered losses on average. (See Appendix 4 for maps showing how the percent premium paid by county has changed during the months of this study study.)

⁴⁰ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

Table 14 below shows the net gain or loss by county for each month in the study. Counties where customers paid less than they would have under default service are shown with a negative number in a green cell.

Monthly Consumer Losses Far Outweight Consumer Gains								
County	December 2021	May 2022	December 2022	May 2023	December 2023	May 2024	December 2024	May 2025
Androscoggin	\$200,508	\$43,837	\$179,396	\$41,887	\$8,840	\$116,770	\$133,622	\$75,926
Cumberland	\$470,061	\$75,806	\$388,432	\$54,499	\$1,402	\$250,238	\$304,969	\$176,321
Franklin	\$66,661	\$16,953	\$74,416	\$16,757	\$4,656	\$44,052	\$49,687	\$29,190
Hancock	\$75,765	\$16,146	\$81,822	\$28,052	\$21,264	\$55,211	\$64,568	\$39,774
Kennebec	\$212,813	\$38,896	\$203,691	\$35,184	-\$357	\$127,937	\$142,141	\$81,461
Knox	\$67,405	\$14,882	\$67,008	\$15,926	-\$2,149	\$43,661	\$48,251	\$29,375
Lincoln	\$75,874	\$17,352	\$76,035	\$21,266	\$12,935	\$42,720	\$53,397	\$30,386
Oxford	\$124,507	\$24,248	\$111,764	\$23,212	\$4,058	\$81,083	\$91,580	\$53,445
Penobscot	\$194,182	\$48,962	\$218,408	\$80,284	\$41,891	\$114,882	\$129,312	\$83,816
Piscataquis	\$34,804	\$6,487	\$35,967	\$9,953	-\$1,263	\$22,144	\$24,037	\$14,827
Sagadahoc	\$79,059	\$17,833	\$65,374	\$18,889	\$12,341	\$40,566	\$48,274	\$28,143
Somerset	\$83,908	\$19,298	\$98,696	\$11,484	-\$17,852	\$59,346	\$71,109	\$41,334
Waldo	\$59,628	\$15,754	\$76,081	\$13,512	\$4,758	\$46,653	\$53,788	\$30,242
Washington	\$33,942	\$10,084	\$40,887	\$19,744	\$12,100	\$23,183	\$26,921	\$17,287
York	\$383,242	\$70,104	\$338,614	\$43,425	\$4,392	\$228,360	\$212,702	\$152,957
Total	\$2,162,359	\$436,642	\$2,056,591	\$434,072	\$107,017	\$1,296,805	\$1,454,359	\$884,483

Table 14 Consumer losses outweigh consumer gains.⁴¹

Of the 120 county-month combinations shown here, only 4, all in December 2023, show a net gain for consumers. Yet even in that month, customers facing a loss paid more in excess than customers with a gain benefitted, with the net overpayment still more than \$107,000.

➤ **CEP customers in most counties experience a net loss most months.**

Town-level results

The data provided by CMP and Versant allow not just county-level analysis, but also town- and city-based analysis. Figure 3 shows the percent premium CEP customers paid beyond the standard offer rate in May 2025 at the town level. In May 2025 relatively few customers in only a handful of towns paid less than they would have under the standard offer. (These towns are shown in green.) Residents in far more towns paid more than they would have paid under standard offer.

⁴¹ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

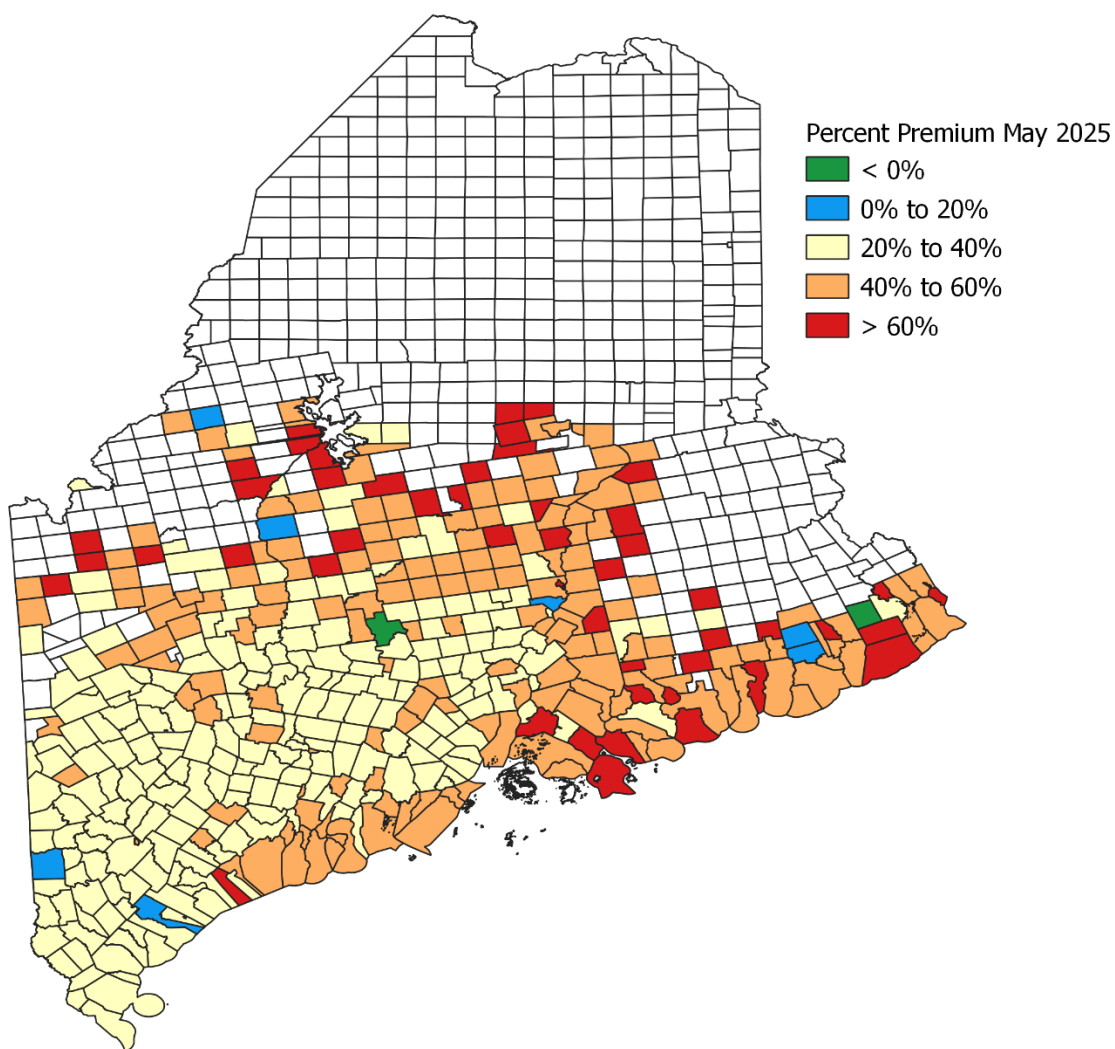


Figure 3 Percent premium paid to CEPS, May 2025.⁴²

The U.S. Census Bureau’s American Community Survey (“ACS”) provides a demographic snapshot of selected communities each year. In 2023, the ACS estimates for median household income includes dozens of Maine communities. Figure 4 shows the relationship between percent premium paid and median household income.

⁴² Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

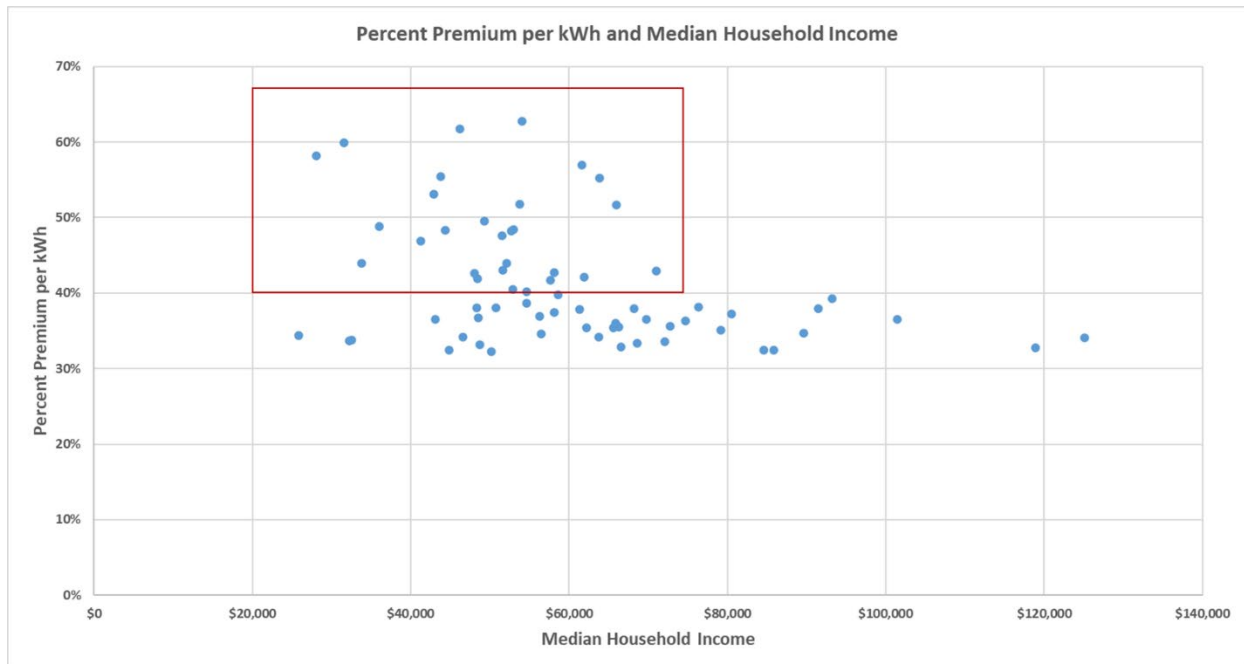


Figure 4 Median household income and percent premium paid.⁴³

The region of Figure 4 boxed in red highlights towns where the median household income is less than \$75,000 per year and the percent premium paid by CEP customers is 40% or greater. These are precisely the towns where intuition would say that customers struggle to meet their basic expenses and yet these customers face rates for electricity that are far higher than necessary. Table 15 shows the median household income and average premium paid to CEPs by residents of these towns.

⁴³ Information provided to the OPA by CMP and Versant pursuant to MPUC order; U.S. Census Bureau, 2019-2023 American Community Survey 5-Year Estimates.

Place	Median Household Income (2023)	Precent Premium (May 2025)
ANSON	\$52,083	44%
BANGOR	\$58,096	43%
BINGHAM	\$53,750	52%
BOOTHBAY HARBOR	\$57,679	42%
BRADLEY	\$61,625	57%
BREWER	\$51,490	48%
CORINNA	\$48,393	42%
DEXTER	\$51,667	43%
EAST MILLINOCKET	\$44,306	48%
EASTPORT	\$46,205	62%
ELLSWORTH	\$70,990	43%
GREENVILLE	\$52,991	48%
GUILFORD	\$41,250	47%
HARTLAND	\$61,917	42%
HOWLAND	\$48,021	43%
JONESPORT	\$65,938	52%
LINCOLN	\$33,750	44%
LUBEC	\$43,750	55%
MACHIAS	\$28,047	58%
MATTAWAMKEAG	\$36,042	49%
MILFORD	\$63,864	55%
MILLINOCKET	\$42,936	53%
MILO	\$52,660	48%
OLD TOWN	\$49,329	50%
RANDOLPH	\$52,917	40%
SOUTHWEST HARBOR	\$31,518	60%
WINTER HARBOR	\$54,063	63%
WINTHROP	\$54,612	40%

Table 15 Towns with low median household income and high premiums paid to CEPs.⁴⁴

While it is undesirable for any customer to pay more than necessary for a basic service such as electricity, the fact that lower-income communities stand out for paying far more than necessary for basic electricity service is truly alarming.

➤ **Some low-income customers pay a very high premium as CEP customers.**

⁴⁴ Ibid.

Focus on LIAP

The above analysis quantifies the aggregate financial impact on consumers of CEPs charging more than the standard offer rate for the supply of electricity. The publicly available data from the EIA shows that over a number of years, CEP customers, aggregated at the state level, face a financial loss compared to what they would have paid under the standard offer. (See Table 7.) The confidential data provided by the utilities allows us to extend this analysis to the county and town levels, again showing persistent consumer harm from the high rates charged by CEPs. (See Table 14 and Table 15.) Importantly, the utility-provided data also allows analysis of the effect of high CEP rates on certain vulnerable populations, in particular, those who, due to a low level of income, qualify to participate in the LIAP program.

By program design, participation in LIAP should be higher in areas where income is lower. Figure 5 shows the median household income by county as of 2023, the most recent year for which data is available, alongside the participation rate in LIAP by county as of May 2025. The spatial correspondence is clear, with lower LIAP participation in the wealthier coastal counties in the southern and mid-coast regions, and higher LIAP participation in the less wealthy counties in the interior and the north.⁴⁵

⁴⁵ See Appendix 5 for maps showing how LIAP participation rates has changed during the study period.

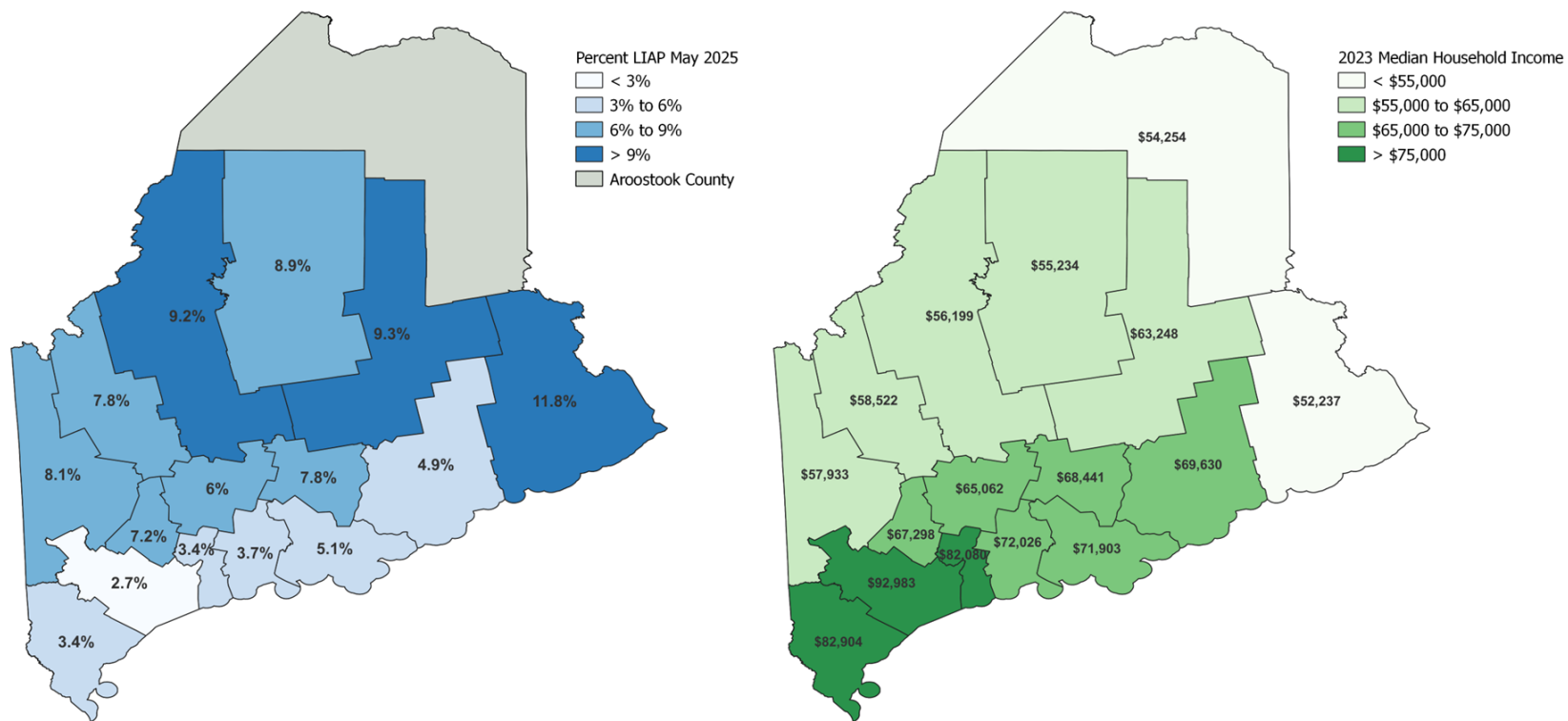


Figure 5 Participation in LIAP, May 2025, and median household income by county, 2023.⁴⁶

⁴⁶ Ibid.

Participation in LIAP is Increasing

Participation in LIAP is growing, and for several reasons. One reason is that the *need* for energy assistance persists. Another reason is that eligibility for the program has expanded twice in recent years, once during the 2022-2023 program year, and again during the 2024-2025 program year. Finally, efforts to reach eligible consumers have become increasingly effective.

Using the data provided by the utilities in response to OPA’s request, we can quantify the growth in the program over time. Table 16 shows that LIAP participation grew 68% between December 2021 and May 2025, while the total number of residential electricity customers grew by only 4%. LIAP participants are a growing proportion of total electricity customers.

LIAP Program is Growing				
Year	Month	Total Customers	LIAP Participants	LIAP as % of Total
2021	Dec	702,157	24,324	3.5%
2022	May	708,523	28,857	4.1%
2022	Dec	701,419	28,832	4.1%
2023	May	718,824	35,427	4.9%
2023	Dec	731,075	35,396	4.8%
2024	May	732,183	43,401	5.9%
2024	Dec	733,730	41,860	5.7%
2025	May	731,478	40,754	5.6%

Table 16 Growth in LIAP participation.⁴⁷

LIAP participants are a growing portion of CEP business

Just as the number of LIAP participants is increasing, so is the number of LIAP participants who choose a CEP for electricity service. Table 17 shows that even though the total number of CEP customers in May 2025 was *lower* than in December 2021, the number of

⁴⁷ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

CEP customers who are also LIAP participants was *higher*. Over this period, the LIAP portion of the CEP customer base increased by 35%, from 3,667 customers to 4,950 customers. The non-LIAP portion of the CEP customer base declined by 12%. This means that LIAP participants are an increasingly important part of CEP business.

LIAP Participants are a Growing Percentage of CEP Customer Base					
Year	Month	Total CEP Customers	LIAP Participants	Non-LIAP Participants	Percent LIAP
2021	12	66,469	3,667	62,802	5.52%
2022	5	67,975	3,890	64,085	5.72%
2022	12	61,724	3,706	58,018	6.00%
2023	5	67,232	4,661	62,571	6.93%
2023	12	78,239	5,639	72,600	7.21%
2024	5	74,843	6,414	68,429	8.57%
2024	12	64,300	5,243	59,057	8.15%
2025	5	59,931	4,950	54,981	8.26%

Table 17 LIAP participants are a growing percentage of CEP customer base.⁴⁸

LIAP and Non-LIAP CEP customers pay different rates

The detailed data provided for this analysis demonstrates that LIAP and non-LIAP customers do not pay the same rates, and thus pay a different premium above the standard offer. On average, CEP customers who are LIAP participants pay a higher premium than non-LIAP customers. Table 18 shows that in each month of the study period, even during the 2022-2023 period when the gap between the standard offer rate and CEP rates narrowed, LIAP customers paid a higher percentage premium than non-LIAP customers.⁴⁹

⁴⁸ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

⁴⁹ Note that non-LIAP customers pay a higher Total Premium than LIAP customers. This is simply because there are many more non-LIAP customers than LIAP customers in the CEP customer base.

LIAP Customers Consistently Pay a Higher Premium than Non-LIAP Customers					
Year	Month	Total Premium		Percent Premium	
		LIAP Customers	Non-LIAP Customers	LIAP Customers	Non-LIAP Customers
2021	12	\$126,916	\$2,035,443	102%	80%
2022	5	\$40,285	\$396,357	21%	12%
2022	12	\$171,362	\$1,885,229	71%	45%
2023	5	\$44,374	\$389,698	12%	8%
2023	12	\$18,936	\$88,081	3%	1%
2024	5	\$120,098	\$1,176,707	38%	35%
2024	12	\$129,306	\$1,325,053	40%	34%
2025	5	\$72,204	\$812,279	37%	34%

Table 18 LIAP customers pay a larger premium than non-LIAP customers.⁵⁰

While some CEPs have no LIAP customers, and others charge LIAP customers less, on average, than their non-LIAP customers, four CEPs stand out for charging LIAP customers more than non-LIAP customers. Table 19 shows the usage-weighted average rates by CEP in May 2025, and highlights (in orange), the four CEPs that charged higher rates to LIAP than to non-LIAP customers. Two CEPs (highlighted in green) charged rates below the standard offer rate in May 2025. (These two CEPs had no LIAP participants as customers during May 2025.)

⁵⁰ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

Four of 19 CEPs Charge LIAP Customers a Higher Rate: May 2025

CEP_ID	Wtd Avg Non_LIAP rate	Wtd Avg LIAP rate
5	\$0.1397	NA
10	\$0.1567	\$0.1539
15	\$0.1652	\$0.1606
20	\$0.1649	\$0.1595
25	\$0.1127	\$0.1109
30	\$0.1225	\$0.1170
35	\$0.0982	NA
40	\$0.1297	\$0.1470
45	\$0.1945	\$0.1957
50	\$0.1364	\$0.1372
55	\$0.1474	\$0.1457
60	\$0.1132	NA
65	\$0.0804	NA
70	\$0.1583	\$0.1484
75	\$0.1119	NA
80	\$0.1895	\$0.1882
85	\$0.1486	\$0.1440
90	\$0.1090	\$0.1247
95	\$0.1130	\$0.1070

Table 19 Average CEP rates, LIAP versus non-LIAP, May 2025.⁵¹

Average Losses to LIAP customers vary by CEP

Table 20 shows the average monthly payment in excess of the standard offer per LIAP customer. Similar to the analysis shown above in Tables 10 and 11, cells highlighted in green indicate months in which LIAP customers of a particular CEP experienced a net financial gain on average.⁵² This table shows that there have been very few instances when a CEP's average financial impact on its customers was a gain for those customers. In

⁵¹ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

⁵² CEPs with no LIAP customers during the study period are not shown here.

particular, since December 2023 LIAP participants who are CEP customers have paid *substantially more*, on average, than they would have paid with the standard offer.

Average Overcharge per LIAP Customer by Study Month and CEP								
CEP_ID	Dec 2021	May 2022	Dec 2022	May 2023	Dec 2023	May 2024	Dec 2024	May 2025
5	-\$5.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
10	\$22.26	\$27.63	\$4.92	\$26.36	\$18.33	\$18.22	\$20.96	\$16.33
15	\$9.70	\$43.46	\$16.96	\$72.75	\$10.73	\$24.89	\$29.69	\$17.90
20	\$4.20	\$3.83	\$3.42	\$4.44	\$2.85	\$14.85	\$31.18	\$21.88
25	-\$23.91	\$11.82	-\$10.79	-\$0.22	-\$17.81	\$8.35	\$6.94	\$2.34
30	-\$16.89	\$0.00	\$0.00	\$0.00	\$0.00	\$18.00	\$25.50	\$4.00
40	-\$85.29	\$23.00	\$3.50	\$31.20	-\$6.17	\$28.29	\$29.60	\$17.75
45	\$21.41	\$35.10	\$9.52	\$33.93	\$13.88	\$33.73	\$40.33	\$27.82
50	-\$25.54	\$28.31	\$18.53	\$31.13	-\$11.45	\$13.22	\$19.48	\$16.59
55	\$5.08	\$34.00	\$15.40	\$93.23	\$6.12	\$15.44	\$15.92	\$14.86
60	-\$27.31	\$0.00	\$0.00	\$0.00	\$0.00	\$1.93	\$1.88	\$0.00
70	\$2.87	\$33.61	\$6.87	\$20.29	\$1.88	\$15.61	\$19.39	\$15.62
75	\$9.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
80	\$36.58	\$46.48	\$19.14	\$62.15	\$59.38	\$32.93	\$32.16	\$21.67
85	-\$1.78	\$35.00	\$11.03	\$38.99	\$11.84	\$3.39	\$21.64	\$10.95
90	-\$29.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$7.00
95	-\$11.33	\$31.83	\$6.62	\$10.96	-\$4.11	\$11.50	\$12.00	\$0.50
105	\$0.00	\$44.89	\$25.75	\$49.25	\$0.00	\$0.00	\$0.00	\$0.00

Table 20 Average monthly losses per LIAP customer.⁵³

LIAP budget

The budget for the LIAP program was a consistent \$9 million per year for the ten years until 2022. The changes in eligibility implemented in program year 2022-2023 coincided with an increase in funding for LIAP to \$15 million per year. An additional increase of \$7.5 million in program years 2024 and 2025 brought the level up to \$22.5 million per year.

Although the granular data developed in this report only allow us to look at the experience of LIAP consumers for two months each year, it is possible to extrapolate from these

⁵³ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

months to estimate the total overpayment to CEPs by LIAP participants. Expanding Table 18 to estimate excess payment for 12-month periods yields Table 21. Each 12-month estimate in this table is calculated by summing the excess payment for December with the excess payment for the following May, and multiplying the result by 6.

Estimated Annual Excess Payment by LIAP Customers	
12-Month Period	Estimated 12-month Overpayment
2021-2022	\$1,003,209
2022-2023	\$1,294,417
2023-2024	\$834,202
2024-2025	\$1,209,061

Table 21 Estimated annual excess payment by LIAP customers.⁵⁴

The objective of the LIAP program is to help low-income consumers pay their bills. The program is most effective in achieving this goal when LIAP participants choose the lowest-price option for supply. The program is less effective when LIAP participants choose to purchase more expensive supply. The excess payment to CEPs by LIAP participants in the 2024-2025 period amounts to more than 5% of the total LIAP funding for that year.

This problem will become even more acute due to upcoming program design changes. In 2026, the LIAP program will shift from a per-participant lump sum grant to a monthly percentage discount off of a LIAP-eligible customer's total electric bill.⁵⁵ As such, if LIAP participants sign up for higher-than-standard-offer supply rates, the same amount of LIAP funding will help fewer Maine residents.

Summary and Recommendation

The analysis presented in this report confirms and expands upon findings of the *2024 Report*. In particular, for the nine-year period 2016 to 2024, Maine residential ratepayers who are CEP customers paid \$156 million more than they would have paid had they

⁵⁴ Based on information provided to the OPA by CMP and Versant pursuant to MPUC order.

⁵⁵ *Maine Public Utilities Commission, Amendments to Statewide Low-Income Assistance Plan Rule (Chapter 314)*, Docket No. 2025-00241, Order Amending Rule and Statement of Factual and Policy Basis (December 17, 2025).

purchased supply from their local utility. While some individual CEP customers generate a financial benefit from their relationship with CEPs, far more lose financially. LIAP program participants, a growing portion of CEP business, pay a higher percentage premium than non-LIAP customers.

One implication of these findings is that the effectiveness of the LIAP program is impaired by CEPs charging LIAP program participants rates in excess of the standard offer rate. This eliminates a portion of the financial benefit of LIAP for some consumers. More worrying, it may remove *all* of the financial benefit of the LIAP program for some consumers. In addition, because LIAP is ultimately funded by ratepayers, and in some years, taxpayers, this “leakage” in the program is ultimately borne by the taxpayers and ratepayers.

One strategy to mitigate this undesirable outcome would be for ERAC to advocate to limit the rates charged by CEPs to LIAP participants to no more than the standard offer rate. The analysis presented here, in particular in Table 20Table 11, shows that CEPs *can* charge less than the standard offer rate, and several have. If implemented, this policy would keep the LIAP credit where it is intended – with consumers.

Appendix 1

ORDER AND PROTECTIVE ORDER No. 1, Docket No. 2025-00191, July 30, 2025, Office of the Public Advocate Request for Access to Competitive Electricity Provider Data. State of Maine Public Utilities Commission.

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2025-00191

July 30, 2025

OFFICE OF THE PUBLIC ADVOCATE
Request for Access to Competitive
Electricity Provider Data

ORDER AND
PROTECTIVE ORDER NO.1

BARTLETT, Chair; SCULLY and GILBERT, Commissioners

I. SUMMARY

Through this Order and Protective Order (Order), the Commission concludes the Office of the Public Advocate (OPA) has demonstrated good cause for access to information held by Central Maine Power Company (CMP) and Versant Power (Versant) and therefore directs CMP and Versant to file the information specified in this Order in the above-captioned docket. The Commission further concludes protective order treatment is warranted and therefore directs the utilities to file the specified information confidentially under this Order and publicly in redacted form.

II. BACKGROUND

On July 7, 2025, Commission Staff issued a notice of proceeding in this docket regarding a request filed by the OPA. The OPA seeks access to data held by CMP and Versant related to the provision of residential supply service by licensed competitive electricity providers (CEPs) and standard offer providers (SOPs). The OPA submitted a proposed spreadsheet for data collection and a proposed protective order, under which CMP and Versant would file proprietary and customer-specific information. The OPA states it intends to use the information solely for the purpose of conducting studies and preparing reports regarding the rates and business practices of CEPs, and that it would aggregate customer-specific data and not disclose the identities of specific CEPs in the reports. 35-A M.R.S. § 1708(2) (2025); P.L. 2025, ch. 123, § 3 (emergency, effective May 29, 2025). The OPA states CMP and Versant do not object to filing the requested information, subject to the Commission authorizing them to do so and issuing an appropriate protective order.

As specified below, the OPA seeks the following proprietary and customer-specific information, the “Designated Confidential Information,” under protective order to conduct a study and prepare a report required by recent legislation. P.L. 2025, ch. 123, § 3 (emergency, effective May 29, 2025). For each zip code in the CMP and Versant service territories, the OPA requests the following data for the months of May 2025, 2024, 2023, 2022, and 2021, and December 2024, 2023, 2022, 2021, and 2020:

The name of each CEP operating in that zip code, the total number of residential accounts billed for that supplier at each supply rate offered by that supplier, the total kWh billed at each rate for supply, the total non-usage-based monthly fees

(e.g. monthly service fees) if any, charged by the supplier (associated with each rate), and the total amount billed for supply on behalf of the CEP, including usage-based and non-usage-based supply charges, but not delivery or transmission charges; and

the number of all residential customers who subscribe to standard offer service (that is, customers who do not receive service from a competitive supplier) in that zip code.

Regarding customers receiving low-income assistance, the OPA requests the following data for the months of May 2025, 2024, 2023, 2022, and 2021, and December 2024, 2023, 2022, 2021, and 2020:

The name of each CEP operating in that zip code, the total number of residential accounts enrolled in the low income assistance program billed for that supplier at each supply rate offered by that supplier, the total kWh billed for each rate for supply, the total non-usage-based monthly fees, if any, charged by the supplier (associated with each rate), and the total amount billed for supply on behalf of the CEP, including usage-based and non-usage-based supply charges, but not delivery or transmission charges; and the number of residential customers enrolled in the low income assistance program who subscribe to standard offer service (that is, customers who do not receive service from a competitive supplier) in that zip code.

Commission Staff provided an opportunity for intervention and comment on the OPA's request. CMP and the Retail Energy Supply Association (RESA) filed petitions to intervene.¹ RESA filed comments in which it did not object to the OPA's request but raised two concerns.

RESA raised concerns about notice and access to information. First, citing unallocated language in the recent legislation underlying the OPA's request, P.L. 2025, ch. 123, § 3 (emergency, effective May 29, 2025), RESA states the OPA has an obligation to provide notice to CEPs of an opportunity to participate in a consultation process, to make recommendations, and to comment on an anticipated report required by the recent legislation. Second, RESA states, to provide meaningful input on the anticipated study and report, stakeholders may need access to some or all data requested by the OPA and to be filed in this docket under protective order. RESA acknowledges that any access to the data filed in this docket must be made in a manner that protects the competitively sensitive nature of the data and the privacy of customers. RESA requests guidance on how to access confidential data filed under protective order in this docket.

¹ No person filed an objection to the petitions to intervene of CMP and RESA, and the Commission grants those petitions.

On July 30, 2025, Commission Staff issued a Recommended Decision and Protective Order and provided an opportunity for comment and exception. CMP and the OPA submitted comments.

III. LEGAL STANDARD

During its most recent legislative session, the Legislature enacted An Act to Allow the Public Advocate to Obtain Information from Public Utilities, Competitive Electricity Providers and Standard-Offer Service Providers. L.D. 860 (132nd Legis. 2025) (Act). As amended, effective May 29, 2025, 35-A M.R.S. § 1708(2) provides the following legal standard:

The Public Advocate may petition the commission for information or data from a public utility, standard-offer service provider or competitive electricity provider that is necessary for the Public Advocate to carry out the purposes of this chapter. The commission may, upon a showing of good cause, order a public utility, standard-offer service provider or competitive electricity provider to provide such information or data to the Public Advocate. To the extent that the information or data would otherwise be confidential pursuant to this Title or rules adopted pursuant to this Title, the Public Advocate or the utility, standard-offer service provider or competitive electricity provider may request that the commission issue a protective order pursuant to section 1311-A to protect such information or data from disclosure.

Thus, for good cause shown, the OPA may petition to obtain, subject to appropriate protective order, data from CEPs and SOPs necessary for the OPA to carry out its purposes under statute.

As to statutory purposes, unallocated language in the Act and set forth in the public law requires the OPA to conduct a study and submit a report to the Legislature no later than December 3, 2025. P.L. 2025, ch. 123, § 3 (emergency, effective May 29, 2025). Section 3 of the Act requires the OPA to:

conduct a study and prepare a report regarding rates and business practices of standard-offer service providers and competitive electricity providers. The study must take into account differences in products and services offered by standard-offer service providers and competitive electricity providers, including, but not limited to, value-added services, such as behind-the-meter services that may reduce a customer's electricity demand, and varying contract periods.

Thus, under the Act and in undertaking the required study and report, the OPA is directed to take into account what may be customer-specific and proprietary information related to and regarding CEPs and SOPs and held by CMP and Versant in the course of the utilities' combined billing for supply and transmission & distribution services.

Title 35-A M.R.S. § 1311-A(1)(A) grants the Commission the authority to issue protective orders to protect the interests of parties in confidential or proprietary information. In granting such protective orders, the Commission balances the need to keep the information confidential with the policies of conducting its proceedings in an open and fair manner where all parties have the right and opportunity to participate effectively. *Id.*

IV. DISCUSSION AND CONCLUSIONS

As set forth above, Title 35-A provides that the OPA, upon a showing of good cause, may obtain information regarding CEPs and SOPs to carry out the OPA's purposes under Title 35-A, subject to protective order where applicable. 35-A M.R.S. § 1708(2). Because the recently enacted unallocated legislation requires the OPA to conduct a study and produce a report regarding rates and business practice of SOPs and CEPs, the Commission concludes the OPA has demonstrated good cause for access to the Designated Confidential Information.

Further, the Commission finds that the public release of the proprietary and customer-specific information could potentially have a negative impact on regulated entities and their customers, and, further, that the public's interest in an open and fair proceeding will not be materially impacted by issuing a protective order as set forth in this Order. The Commission concludes that protective treatment of the requested proprietary and customer-specific information is warranted under 35-A M.R.S. § 1311-A and Rule 26(c) of the Maine Rules of Civil Procedure.

CMP and Versant are therefore directed to file the Designated Confidential Information confidentially under this Order, and in accordance with paragraph seven below, file public, redacted versions of their filings. Any party at any time can move for a finding that material subject to protection should no longer be so treated or that such other party be provided access to said information pursuant to protective provisions. Unless such a motion is granted, however, use of proprietary and customer-specific information is restricted by the protective order terms set forth below.

As to RESA's comments, the obligations or duties of the OPA under the unallocated language of the Act are beyond the scope of the above-captioned proceeding. This matter regards under what circumstances, and if so under what terms, the OPA may access confidential data related to a statutory purpose. 35-A M.R.S. § 1708(2). Therefore, the Commission refers RESA to the OPA with any notice concerns regarding the OPA's anticipated study and report, which are not subject to Commission oversight. As to access to information filed in this docket, as noted above and as set forth in paragraph seven below, to balance the need for confidentiality and the public interest in transparency in the Commission's dockets, the Commission directs CMP and Versant to file redacted versions of their filings. Commission Staff encourage the parties to work cooperatively on data sharing that does not disclose the proprietary and customer-specific information filed under protective order in this docket. The

Commission otherwise directs RESA to ordering paragraph three below for the guidance it seeks on access under the protective order terms.

V. PROTECTIVE ORDER TERMS

Accordingly, it is

ORDERED

1. That proprietary and customer-specific information shall be considered "Designated Confidential Information" for the purpose of this Order and, until this Order is modified, access to Designated Confidential Information shall be limited as described in Paragraph 4 below;

2. That all Designated Confidential Information shall, unless removed from the coverage of this Order as provided in paragraph 3 below, be and remain confidential. Designated Confidential Information shall not be disclosed for any purpose other than the authorized purpose, and then solely in accordance with this Order. The OPA may use the Designated Confidential Information solely for the authorized purpose of conducting studies and preparing reports regarding the rates and business practices of CEPs, and it may not disclose the identities of specific CEPs in the reports. No person to whom access to Designated Confidential Information is accorded pursuant to paragraph 4 of this Order shall disclose or reveal, directly or indirectly, the content of the Designated Confidential Information to others, except as provided in paragraph 4;

3. Any interested person, party, or the Commission, on its own motion may challenge the characterization and designation of any documents or other information as Designated Confidential Information. This protective order may be modified upon reasonable prior notice to CMP, Versant, CEPs, and SOPs and an opportunity to be heard. Upon the entry of an order granting such a motion, the provisions and restrictions of this protective order shall cease to bind any person with respect to the documents or information that the order granting the motion expressly and clearly removes from the coverage of this protective order;

4. That, unless this protective order is modified, access to Designated Confidential Information shall be limited to: (i) Commission members, counsel, members of the Commission Staff and their consultants; and (ii) the Public Advocate, counsel for the Public Advocate, and employees and consultants of the Office of the Public Advocate;

5. That no copies of Designated Confidential Information shall be circulated nor the content thereof otherwise furnished to persons other than those persons who are authorized under paragraph 4 of this Order to obtain Designated Confidential Information. Persons authorized under paragraph 4 hereof also may take such notes as may be necessary solely for the authorized purpose. Those notes shall also be treated as Designated Confidential Information;

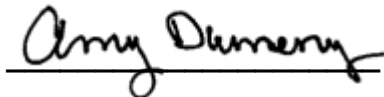
6. That the Designated Confidential Information is not a “public record” pursuant to the Maine Freedom of Access Act (FOAA), 1 M.R.S. §§ 400-521, because the Hearing Examiner has designated the information as confidential pursuant to statute. 35-A M.R.S. § 1311-A, 1 M.R.S. § 402(3)(A);

7. That Designated Confidential Information must be filed confidentially using the Commission's Case Management System (CMS). All materials filed as confidential under the terms of this protective order must be clearly and conspicuously marked CONFIDENTIAL. Any document or portion thereof not clearly and conspicuously marked CONFIDENTIAL may not be protected under the terms of this protective order. Any person or party subject to the terms of this protective order who views, either through CMS or via hard copy unmarked documents or materials which they believe were intended to be protected by the terms of this protective order, and that would have been protected if marked in accordance with this paragraph, must make a good faith effort to notify the filing party and the Commission of this fact and to avoid use of such documents or materials in a manner inconsistent with protection of such material under this protective order. CMP and Versant will file redacted versions of all filings under this Order and will indicate where the confidential information begins and ends;

8. That the restrictions upon, and obligations accruing to, persons who become subject to this protective order shall not apply to any Designated Confidential Information submitted in accordance with paragraph 1 of this protective order if the Commission rules, after reasonable notice and hearing, that the Designated Confidential Information was publicly known at the time it was furnished or has since become publicly known through no fault of the receiving party; and

9. That Designated Confidential Information filed under this protective order shall remain in the possession of the Commission, under seal, and subject to the protective requirements of this protective order, until this Commission or its authorized presiding officer shall otherwise order.

Dated at Hallowell, Maine this 12th Day of August, 2025



Administrative Director

COMMISSIONERS VOTING FOR: Bartlett
Scully

COMMISSIONER ABSENT: Gilbert

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S. § 9061 requires the Public Utilities Commission to give each party at the conclusion of an adjudicatory proceeding written notice of the party's rights to seek review of or to appeal the Commission's decision. The methods of review or appeal of Commission decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 11(D) of the Commission's Rules of Practice and Procedure (65-407 C.M.R. ch. 110) within **20** days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought. Any petition not granted within **20** days from the date of filing is denied.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21** days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S. § 1320(5).

Pursuant to 5 M.R.S. § 8058 and 35-A M.R.S. § 1320(6), review of Commission Rules is subject to the jurisdiction of the Superior Court.

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.

Appendix 2: Aroostook County

This report excludes Aroostook County from the analysis performed in other Maine counties because Aroostook County is fundamentally different from the other counties in Maine. The northernmost county in Maine, Aroostook County is connected to the electric grid which links the rest of New England only via a connection in New Brunswick, Canada. The reliability of the electric grid in Aroostook County is administered by Northern Maine Independent System Administrator, while the grid in the remainder of New England is administered by the New England Independent System Operator.

Due to the direct link with New Brunswick, Aroostook County is part of a different wholesale market for electricity than the rest of Maine. This means that any CEP wishing to operate in Aroostook County will bid in a market for supply that is separate from the rest of New England. This may be a factor influencing the fact that only a few CEPs offer service in Aroostook County. In fact, during the eight months of this study period, the number of CEP customers in Aroostook County hit a low of 8 in December 2022, and a maximum of 36 in May 2025. By contrast, in May 2025 there were 29,871 customers purchasing supply under the standard offer.

Appendix 3

*Copies of letters requesting additional information from CEPs and
Standard Offer Suppliers*



State of Maine
Office of the Public Advocate
112 State House Station, Augusta, Maine 04333-0112
(207) 624-3687 (voice) 711 (TTY)
www.maine.gov/meopa

Heather Sanborn
PUBLIC ADVOCATE

November 5, 2025

To: [Competitive Electricity Provider]
Sent via email:

Dear [Competitive Electricity Provider],

Attached please find a draft report titled *"Analysis of Maine's Market for Residential Competitive Electricity."* This analysis was conducted in accordance with LD 860, *"An Act to Allow the Public Advocate to Obtain Information from Public Utilities, Competitive Electricity Providers and Standard-offer Service Providers."*

The Act requires that:

"In conducting the study and preparing the report under this section, the office shall consult with and solicit recommendations from interested parties, including at least three competitive electricity providers and one current or former provider of standard-offer service to residential and small commercial customers, regarding the study methodology, the office's analysis, any recommendations developed by the office, and the report."

For reference, the full text of the study requirement language is included at the end of this letter.

To assist us in accurately characterizing [Competitive Electricity Provider]'s products and services, we seek responses to the questions listed below. If any aspect of the responses are deemed confidential, please ensure that it is clear how the information may be used in the context of this study.

1. **Product Comparison:** Please describe any differences between the products and services you offer, and the standard-offer service provided by the utility.
2. **Monetary Benefits:** Please describe and quantify, in dollars, the monetary value of the different benefits offered with CEP service, along with the number of Maine customers who receive each benefit.
3. **Discounts:** If discounts on other products are offered in connection with a CEP contract, please provide:
 - o The total dollar value of discounts actually redeemed or received for each study month (May and December for the past five years); and

- The number of Maine customers who redeemed these discounts in each of those months.
- 4. **Low-Income Programs:** Please describe any programs you offer that specifically serve low-income customers, including program features and benefits.
- 5. **Multi-Family Buildings:** Please describe any programs targeting multi-family residential buildings and any financial incentives offered to building owners for such enrollments.
- 6. **Additional Feedback:** Please share any other information or observations you believe would support this study.

Thank you for your input. **Please provide answers by November 14th.** Your perspective will help ensure the final report accurately reflects the competitive electricity market in Maine.

Sincerely,

Heather Sanborn
Public Advocate

[LD 860](#), *An Act to Allow the Public Advocate to Obtain Information from Public Utilities, Competitive Electricity Providers and Standard-offer Service Providers*

Sec. 3. Office of the Public Advocate to conduct study; prepare report.

The Office of the Public Advocate, referred to in this section as "the office," shall conduct a study and prepare a report regarding rates and business practices of standard-offer service providers and competitive electricity providers. The study must take into account differences in products and services offered by standard-offer service providers and competitive electricity providers, including, but not limited to, value-added services, such as behind-the-meter services that may reduce a customer's electricity demand, and varying contract periods.

1. In conducting the study and preparing the report under this section, the office shall consult with and solicit recommendations from interested parties, including at least 3 competitive electricity providers and one current or former provider of standard-offer service to residential and small commercial customers, regarding the study methodology, the office's analysis, any recommendations developed by the office and the report. The office shall provide interested parties with the opportunity to review and provide comments on at least one draft report prior to submitting the final report pursuant to subsection 2.

2. The office shall submit a final report by December 3, 2025 to the Joint Standing Committee on Energy, Utilities and Technology. The final report must include all comments and recommendations the office received from interested parties in an appendix to the final report. After receiving the final report, the committee may report out legislation relating to the final report to the Second Regular Session of the 132nd Legislature.



State of Maine
Office of the Public Advocate
112 State House Station, Augusta, Maine 04333-0112
(207) 624-3687 (voice) 711 (TTY)
www.maine.gov/meopa

Heather Sanborn
PUBLIC ADVOCATE

November 5, 2025

To: [Standard Offer Supplier] – sent via email

Subject: Request for Input – Draft Report on Maine’s Residential Competitive Electricity Market

Dear [Supplier],

Attached please find a draft report titled “*Analysis of Maine’s Market for Residential Competitive Electricity*.” This analysis was conducted in accordance with LD 860, “*An Act to Allow the Public Advocate to Obtain Information from Public Utilities, Competitive Electricity Providers, and Standard-offer Service Providers*.”

The Act requires that:

“In conducting the study and preparing the report under this section, the office shall consult with and solicit recommendations from interested parties, including at least three competitive electricity providers and one current or former provider of standard-offer service to residential and small commercial customers, regarding the study methodology, the office’s analysis, any recommendations developed by the office, and the report.”

For reference, the full text of the study requirement is included on the reverse side of this letter.

To help us fulfill this requirement, we ask that you provide a written response addressing the elements outlined in the report—specifically the study methodology, analysis, and any recommendations. Your input will be valuable in ensuring the final report accurately reflects the competitive electricity market in Maine.

Please provide your responses by **November 14**. Thank you in advance for your time and thoughtful feedback.

Sincerely,

Heather Sanborn
Public Advocate

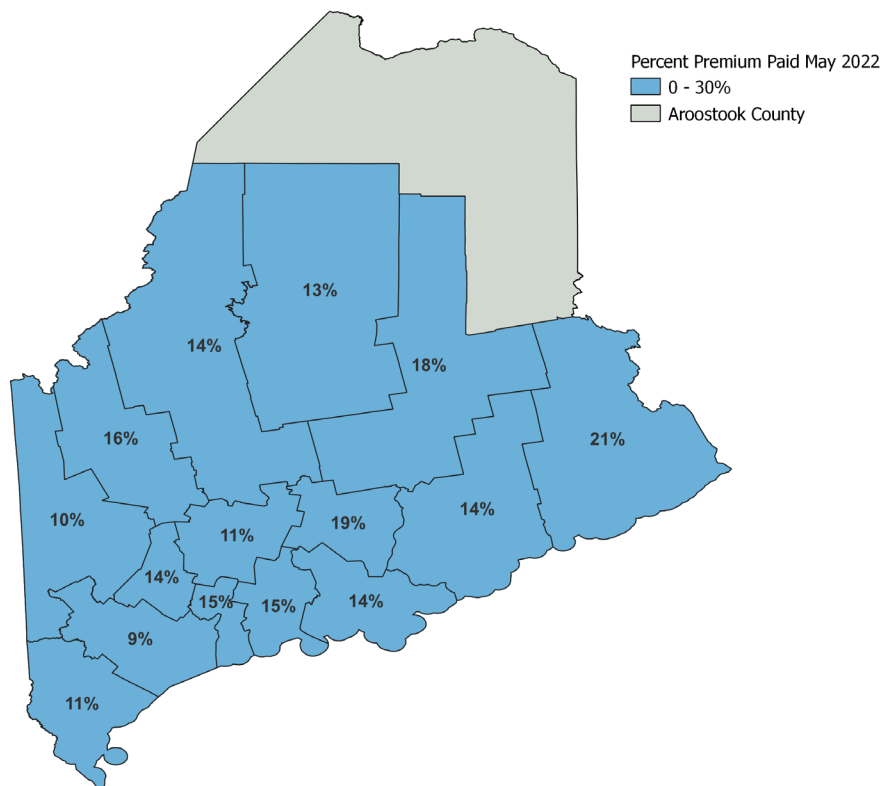
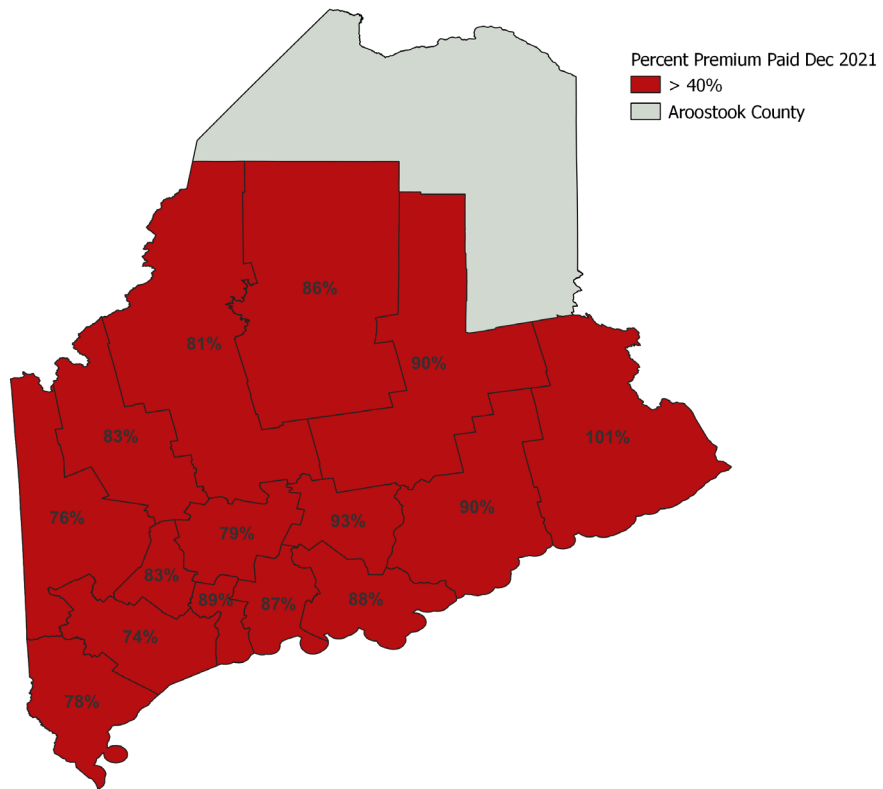
LD 860, *An Act to Allow the Public Advocate to Obtain Information from Public Utilities, Competitive Electricity Providers and Standard-offer Service Providers*

Sec. 3. Office of the Public Advocate to conduct study; prepare report.

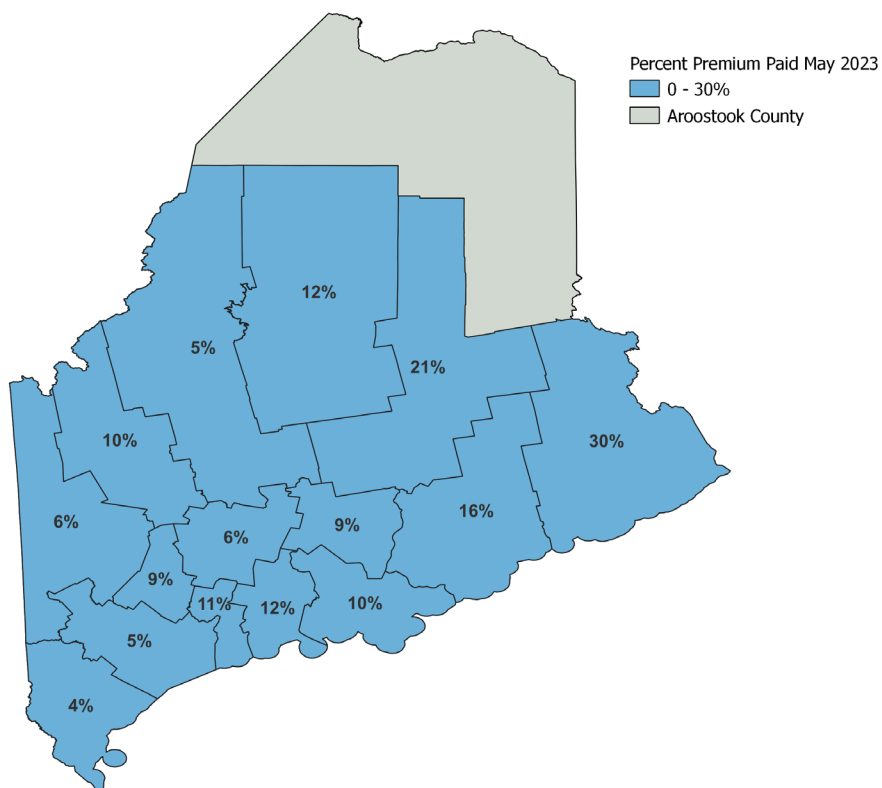
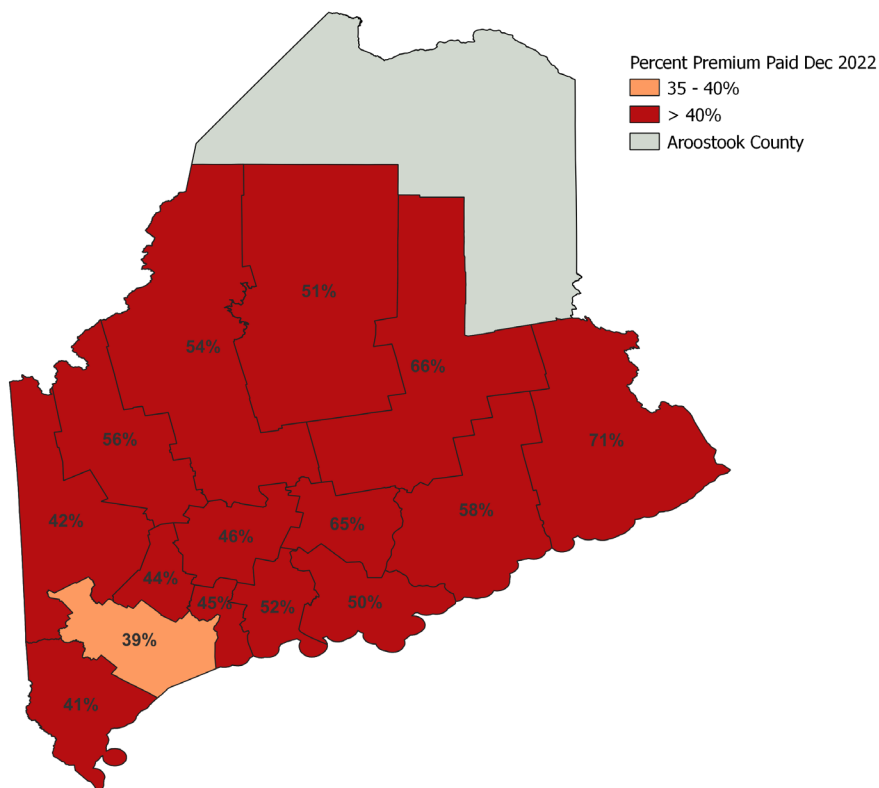
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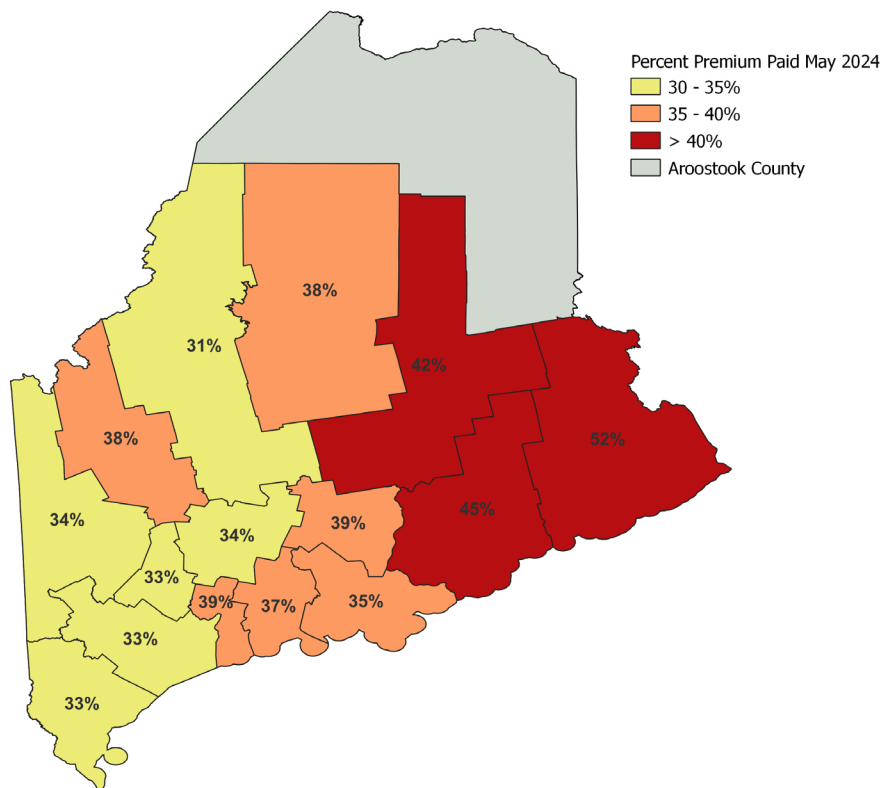
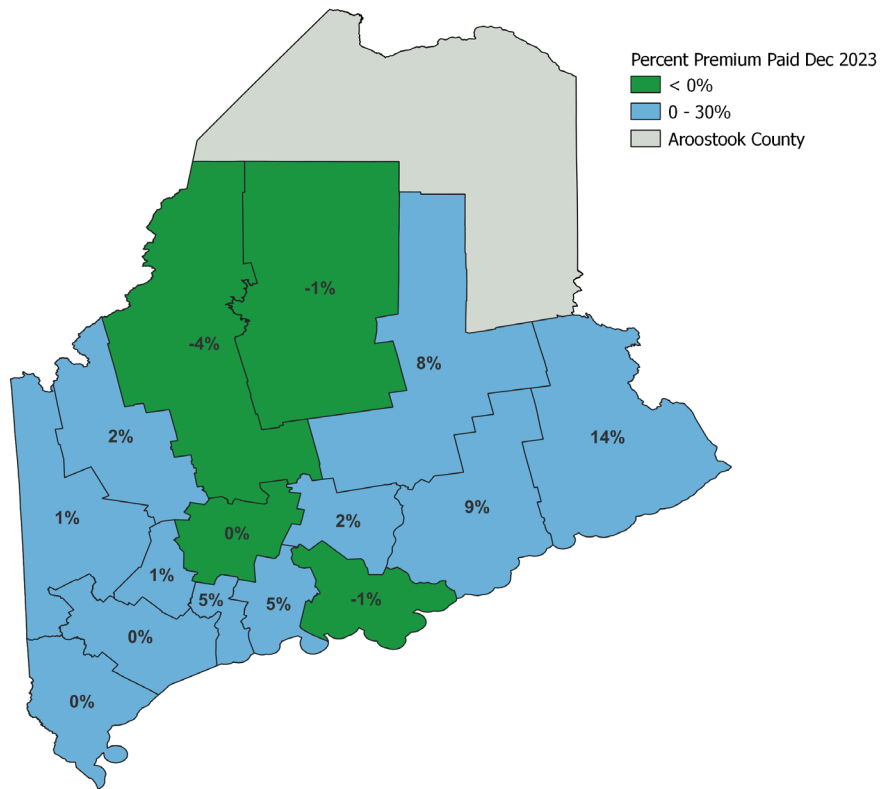
Appendix 4 - Percent premium paid by county



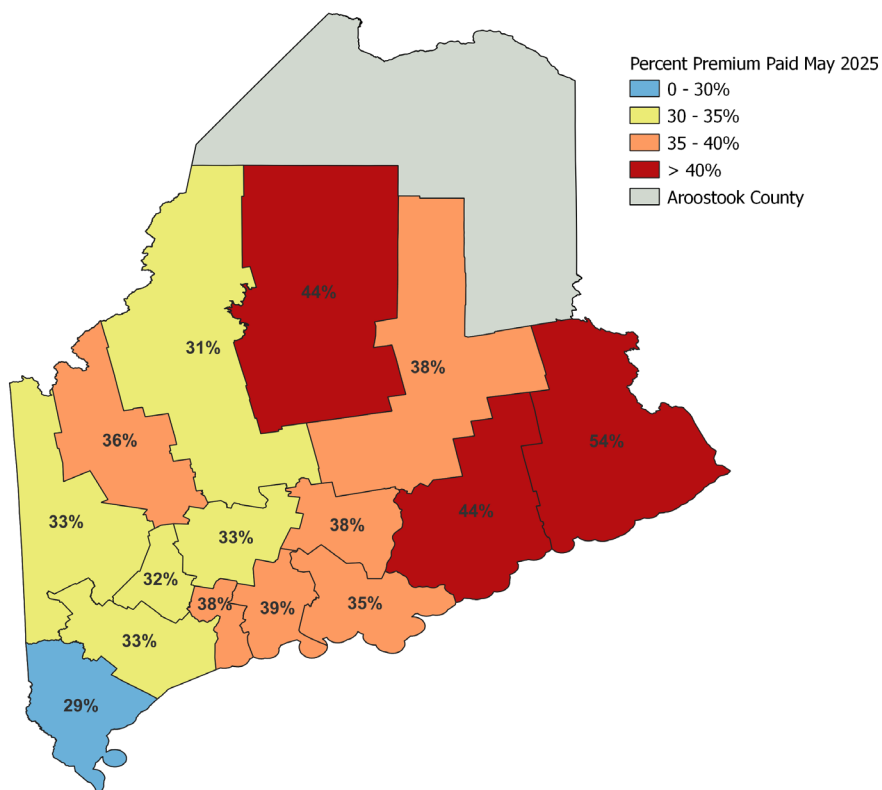
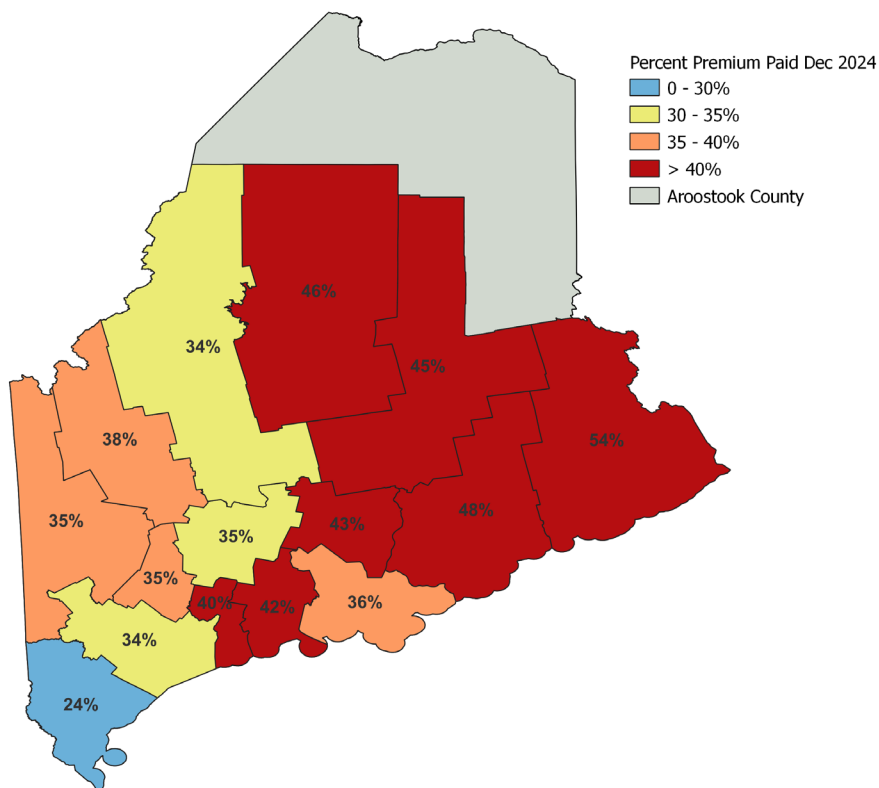
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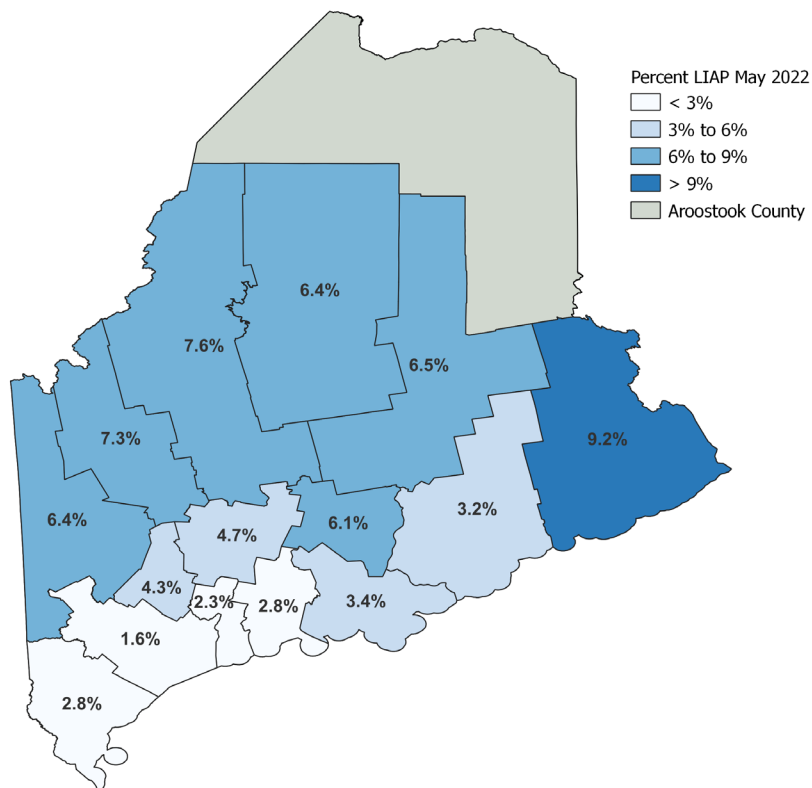
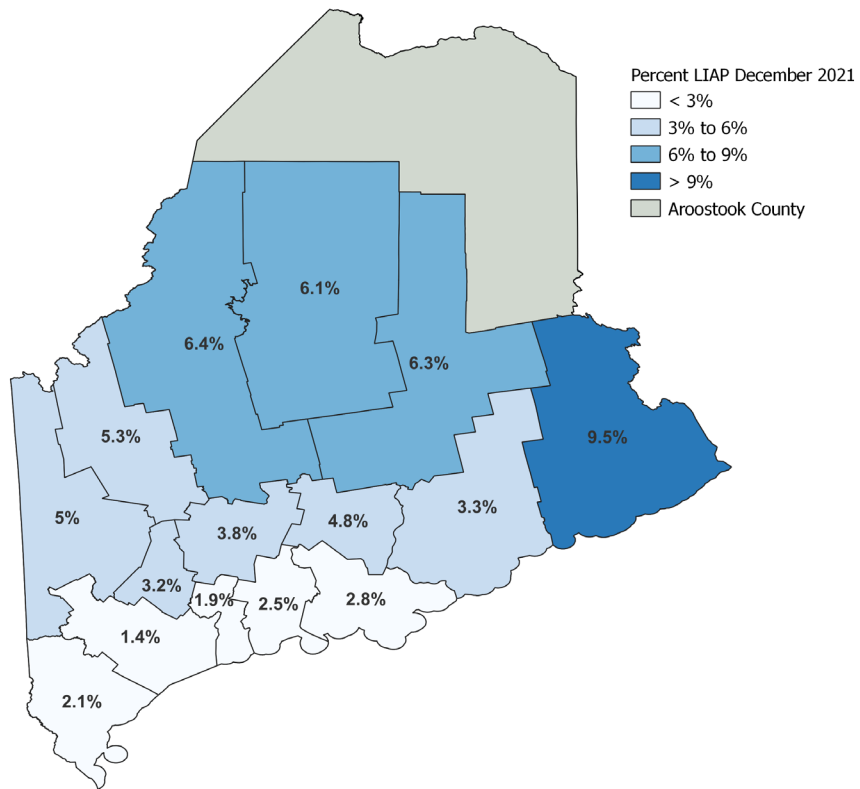
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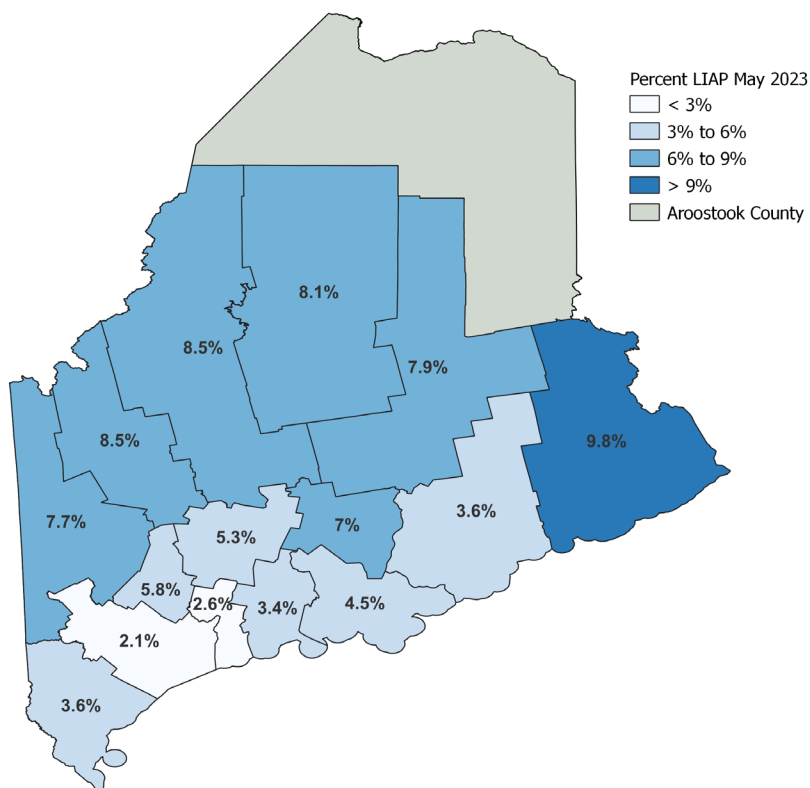
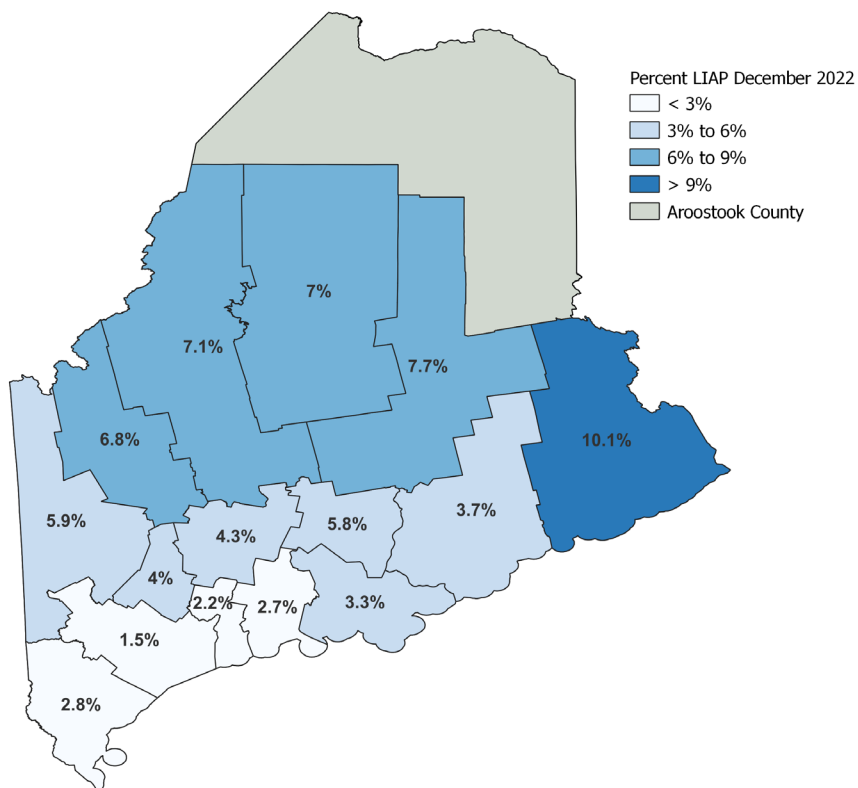
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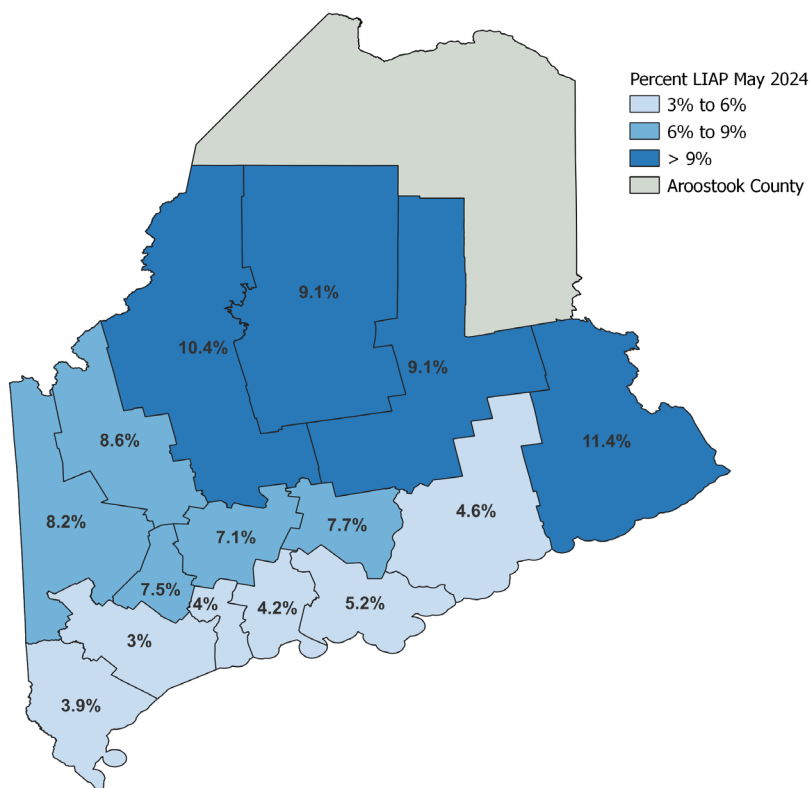
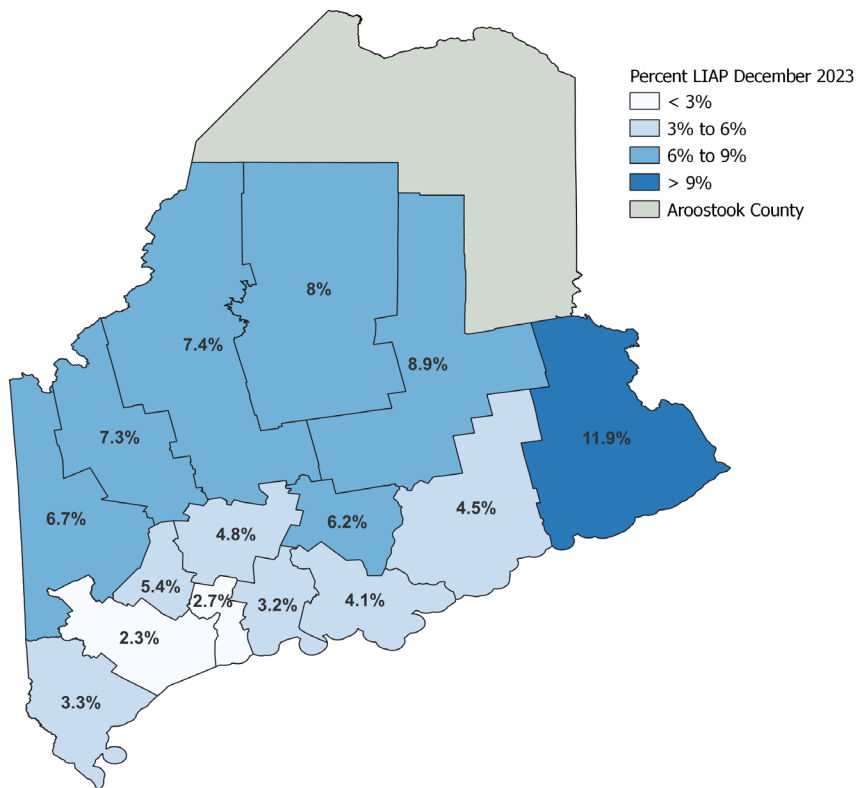
Appendix 5 – Participation in LIAP by county



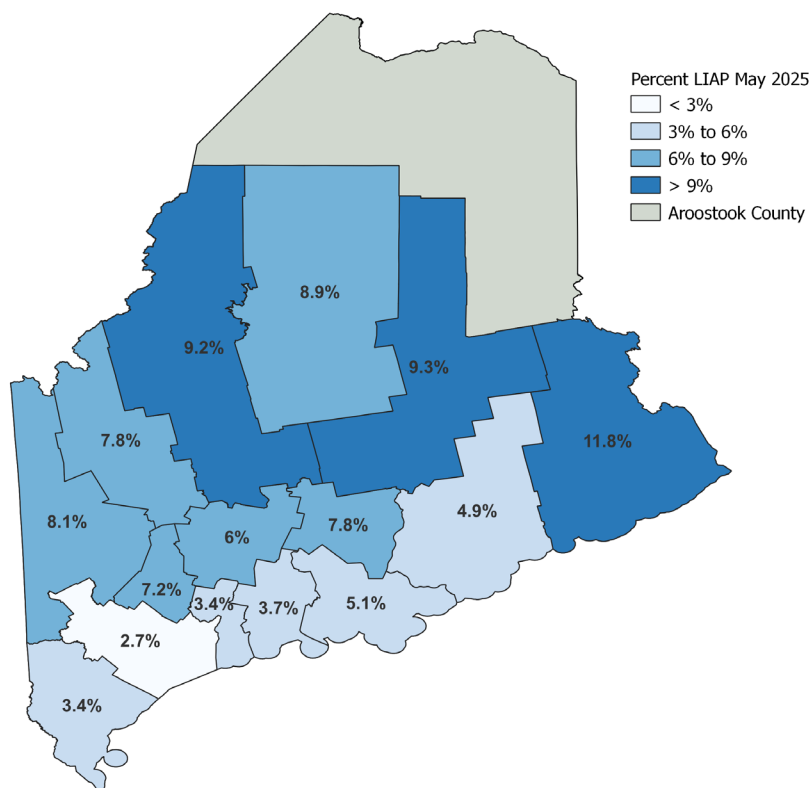
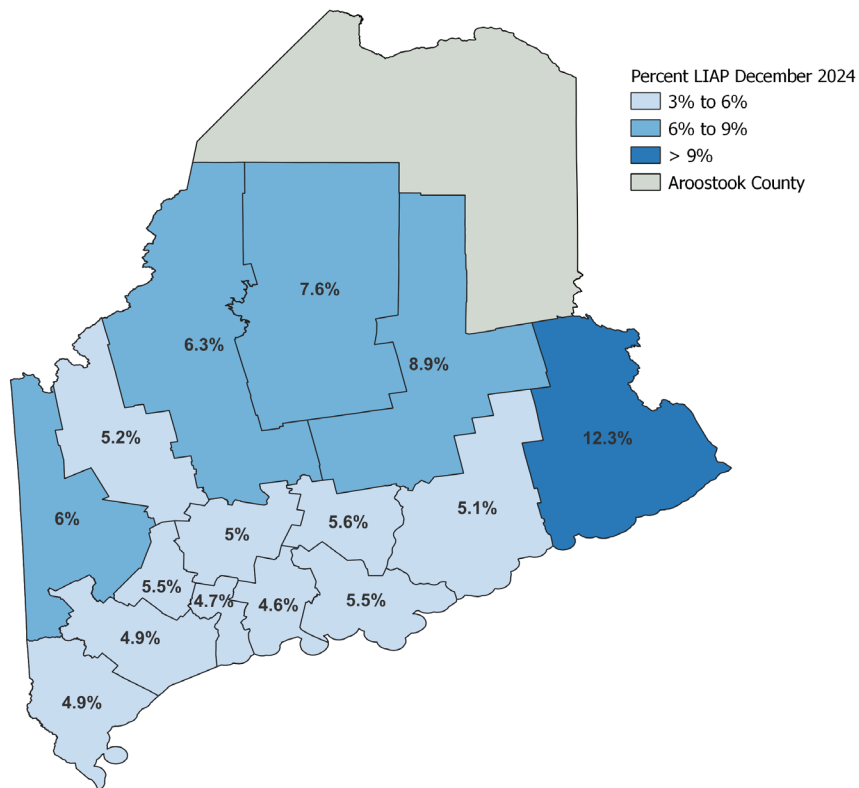
Appendix 5 – Participation in LIAP by county



Appendix 5 – Participation in LIAP by county



Appendix 5 – Participation in LIAP by county



Appendix 6

January 26, 2026 CEP comments on OPA report

January 26, 2026

Heather Sanborn, Esq.
Office of the Public Advocate
112 SHS
Augusta, ME 04333-0112

Competitive Electricity Providers' Joint Comments on the Office of the Public Advocate's Report titled "Is Maine's CEP-Served Retail Electric Supply Market Affordable?"

Dear Public Advocate Sanborn:

NRG Energy, Inc, CN Brown Company, and Constellation Energy (collectively, the "CEPs") provide these comments on your office's report prepared pursuant to LD 860, titled "*An Act to Allow the Public Advocate to Obtain Information from Public Utilities, Competitive Electricity Providers and Standard-offer Service Providers*". In accordance with Section 3 of LD 860, we understand that you will include these comments as an appendix to the final report.

Prior to providing specific comments on this document, it is important to frame this report in the historical context of Maine's competitive electricity market and as well as your office's longstanding efforts to curtail, and at times eliminate, that market. Maine established competitive electricity supply more than two decades ago through the Electric Industry Restructuring Act of 1997, which required utilities to divest generation and opened the door for licensed competitive electricity providers to offer Maine consumers a wider array of supply options, price structures, and innovative value-added services. Since that time, we and other CEPs have served tens of thousands of Maine households and businesses, offering multi-year fixed-price contracts, renewable and green supply products, and customer-support programs unavailable through the Standard Offer. Rather than supporting the evolution and improvement of this competitive market, your office has repeatedly advanced legislative and regulatory initiatives aimed at eliminating customer choice—proposals to ban residential marketing channels, reports urging the Legislature to eliminate residential retail choice entirely, and sustained public messaging portraying CEP service as inherently harmful regardless of product structure, market conditions, or significant consumer value. Indeed, LD 860 was introduced only after the repeated rejection of your office's prior attempts to substantiate your predetermined narrative. This history is essential to understanding the limitations now reflected in your present "report."

After several years seeking enforcement against a competitive electricity supplier that violated numerous commission rules, and fueled by the Public Utilities Commission's 2018 report,¹ your office began a coordinated multi-year effort to end consumer choice, eliminate competitive electricity suppliers, and force residential customers to rely solely on standard offer.

In 2023, your office submitted a report to the legislature pursuant to LD 318, "Resolve, To Direct the Office of the Public Advocate To Study Reforming Maine's System of Retail Electricity

¹ Maine Public Utilities Commission "Report on Competitive Electricity Providers and Standard Offer Price Comparisons," Presented to the Joint Standing Committee on Energy, Utilities and Technology, February 15, 2018.

Supply To Provide More Options to Maine Customers and Support Maine's Climate Goals". (Public Law 2021, Chapter 164). Even though that report acknowledged that CEP service benefits some consumers and can provide multi-year price stability, the OPA nevertheless urged the Legislature to consider abolishing residential choice. This recommendation was made despite the fact that the standard-offer rate had tripled in just over a year—volatility precisely of the type that multi-year CEP products are designed to mitigate to the benefit of consumers.

In 2024, your office again prepared a report targeting the CEP market, intended to assist the Electric Ratepayer Advisory Council with its goal of evaluating the affordability of electricity in Maine.² Your consultants used functionally the same flawed methodology and reached the same conclusions, again without considering any value added by selecting CEP service. For example, the report concludes that Maine residential consumers are overpaying for electricity service, but in hindsight, many of these conclusions fail.

As a brief example, many of the multi-year CEP rates from October 2024 would save customers money today: options included \$0.1239/kWh for 23 months, \$0.1249/kWh for 24 months, or even \$0.1290/kWh for 100% green energy for 36 months. These products are not hypothetical; they were publicly posted and available, yet your methodology explicitly disregards scenarios that demonstrate CEP value. Any customer who chose those rates might have paid slightly more than standard offer in the short run but is now saving money relative to the standard offer. Likewise, many Maine households are on limited fixed incomes and cannot afford volatility in their costs. Fixed-price competitive supply arrangements offer these customers a rational means to limit their exposure to price volatility. Your report does not consider this value-added price-hedge or insurance and is therefore disingenuous.

This report, and the methodology continuously used, fails to consider these scenarios which are apparent even at a surface level analysis of pricing data. The prior reports used only publicly available data, so your office sought access in the next session to confidential CEP data after failing to eliminate the CEP market.

Your request for such information was declined in its "Request for Access to Competitive Electricity Provider Data" in the Public Utilities Commission's Docket No. 2024-00090, in which the Commission's order concluded that the "OPA did not have the statutory authority to conduct an investigation of CEP rates in relation to" the confidential data requested.³ Your office sought this statutory authority on an emergency basis through LD 860, to request confidential CEP data for the purpose of comparing the standard-offer to CEP provided supply and services.

The CEPs participated in the development of LD 860 and discussed with you and your team that existing reports used inadequate and inaccurate study methodologies that failed to understand the variety of products offered in competitive markets and the market dynamics that impact electricity consumers' product selections. The CEPs explained throughout this process that they would be willing to assist in both developing a study methodology that could accurately and

² Timothy E. Howington and Susan M. Baldwin, "Is Maine's CEP-Served Residential Retail Supply Market Affordable?" prepared for Electric Ratepayer Advisory Council, December 1, 2024.

³ Office of the Public Advocate, Request for Access to Competitive Electricity Provider Data, Docket No. 2024-00090, Order (Me. P.U.C. July 16, 2024).

objectively compare standard-offer prices to CEP products and provide the OPA with additional information regarding behind-the-meter and other value-added services.

LD 860 requires your office to “conduct a study and prepare a report regarding rates and business practices of standard-offer service providers and competitive electricity providers” which “must take into account differences in products and services offered by standard-offer service providers and competitive electricity providers, including, and not limited to, value-added services, such as behind-the-meter services that may reduce a customer’s electricity demand, and varying contract periods.” The bill further requires that your office “consult with and solicit recommendations from interested parties, including at least 3 competitive electricity providers . . . regarding the study methodology, the offices’ analysis, any recommendations developed by the office and the report.” These clauses were specifically designed to help remedy the deficiencies that remained in each of the OPA’s previously submitted reports.

Despite the Legislature passing this bill on an emergency basis last session, your office delayed its request for data from the utilities until June 2025 and did not consult any CEPs or other interested parties to develop the study methodology. On November 6, 2025, your office contacted the CEPs for the first time and provided a near-complete report without any analysis of the differences between standard-offer and CEP products, and the report admits that “[t]he methods used in this report...[are] the same as that used in the *2024 report*.”

You did not create a new methodology with input from interested stakeholders even though this was required by statute. Your report bears the same significant deficiencies as the previously submitted reports and does not provide any additional or valuable information to the Legislature. Instead, your office appears poised to re-tread your old report, using the same methodology which the Legislature has repeatedly deemed inadequate, to study the value added by the competitive electricity supply market. The report again fails to consider value-added services, hedging benefits gained by locking multi-year fixed rates to eliminate standard offer volatility, beneficial and green resources, and other considerations, which the CEPs had been willing and able to assist with had you conformed to the requirements of LD 860. By reaching conclusions before developing an appropriate methodology, the OPA has again produced a report that does not comply with the law governing its preparation.

For these reasons, the CEPs respectfully request that the EUT Committee consider these deficiencies when evaluating the OPA’s report and recognize that the CEPs remain willing to participate in developing an accurate, objective study that fully evaluates the value Maine’s competitive electricity supply market provides to consumers.

Sincerely,

Ken Cannell
Lori Hemmerdinger
C.N. Brown Company

John Holtz
NRG Energy, Inc.

David Creer
Constellation Energy