

**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](http://www.Maine.gov/meopa)**Janet T. Mills  
GOVERNORBarry J. Hobbins  
PUBLIC ADVOCATE

March 25, 2021

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

I am the Public Advocate with the Office of the Public Advocate and I am here today to testify neither for nor against LD 1053 “An Act To Allow Microgrids That Are in the Public Interest.”

First of all, the OPA would like to thank the sponsor, Representative Grohoski, for bringing this very important piece of legislation forward. We’d also like to thank the Honorable Mick Devin for his tireless work on this issue in the past. The Office of the Public Advocate is supportive of the concept of the development of microgrids and is of the opinion that Microgrids have the potential to assist the state in meeting its climate change goals and addressing other policy objectives.

However, there are some concerns with the bill that can hopefully be addressed in an amendment from the committee. Sections 1 and 2 of the bill address construction of facilities in the public way. This is a potentially significant impediment to microgrid development, so it is useful for the bill to address it. It is likely that the incumbent utilities and municipal officials may have concerns about duplication of facilities in the public way (e.g., having poles and wires on both sides of the street). However, parties should be encouraged to minimize duplication of facilities to the extent possible.

Additionally, in Section 3, Section 3351 (3)(B)(1) states that incremental costs arising from a new microgrid be recovered from the microgrid owner and

customers. This may benefit from clarification. The Office of the Public Advocate assumes the sponsors would want to exclude from this responsibility the lost contribution to the fixed costs of the utility that would arise from lost sales. This lost revenue has the potential to increase the rates of other customers. Therefore, the OPA would be reluctant to agree without direction from the Legislature to excuse the microgrid from such responsibility. It would be useful to have this issue clearly addressed.

Finally, the Office of the Public Advocate would ask that the committee consider adding to (D) the requirement that the microgrid be “cost effective.” This requirement is in the NWA statute and would focus a review on the financial impact of a microgrid on all ratepayers, to avoid cost shifting.

Thank you for your time, attention and consideration of this testimony. The Office of the Public Advocate looks forward to working with the Committee on LD 1053, and will be present at the work session to assist the committee in its consideration of this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barry J. Hobbins". The signature is fluid and cursive, with the first name "Barry" and last name "Hobbins" clearly distinguishable.

Barry J. Hobbins  
Public Advocate