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Paul R. LePage
GOVERNOR

Timothy R. Schneider
PUBLIC ADVOCATE

February 25, 2015

RE: LD 237, “An Act to Address Recommendations From the Report
By the Office of Program Evaluation and Government Accountability
Regarding the Public Utilities Commission”

Dear Senator Woodsome and Representative Dion,

The Office of the Public Advocate (OPA) testifies in support of LD 237, “An Act to Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission.” Though it is still early, the position this bill establishes has already proven its value and its potential to consumers, utilities and the Commission. This bill would place this position on an equal footing with the other positions in our office and ensure that we are able to attract and retain qualified people to staff it.

This position already exists. Shortly after vetoing a nearly identical bill in the 126th Legislature, the Governor established the Consumer Advisor as temporary position by financial order that expires June 30, 2015. We hired Kiera Finucane to fill this position beginning October 3, 2014.

The Consumer Advisor position has three primary goals.

1. **Assist Litigants Before the Public Utilities Commission**, by
 - Assisting individual ratepayers who want to participate in Maine Public Utilities Commission proceedings (though not representing them or advocating on their behalf);

- Developing written materials that show consumers how to participate before the Commission and help them understand the Commission's procedures; and
- Helping ratepayers prepare 10-person complaints, and other coordinated action by consumers pursuant to M.R.S. Title 35-A.

2. **Respond to Consumer Complaints, by**

- Taking calls and emails from consumers; and
- Tracking these complaints and inquiries to analyze trends and develop educational information.

3. **Develop and Provide Information to Consumers, by**

- Creating consumer education materials to share through the Office of the Public Advocate's website, print publication and social media; and
- Holding workshops, public information sessions and media alerts about utility matters affecting the public interest.

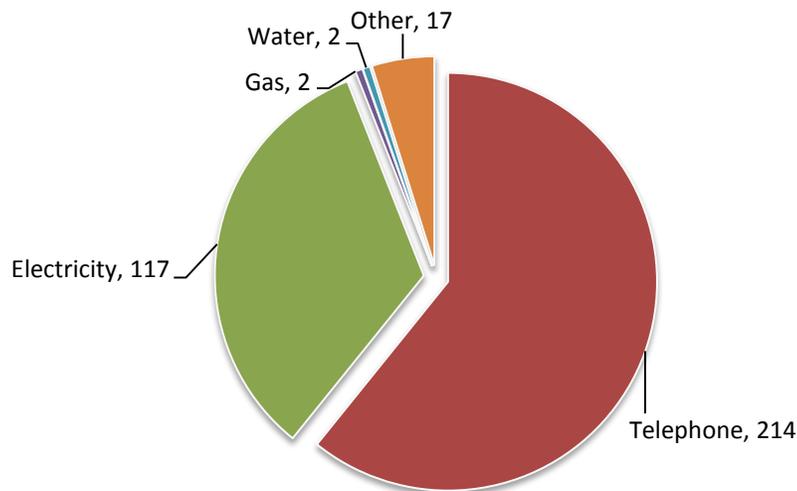
This position has already proven its value. OPEGA, the Government Oversight Committee, the Commission, and the 126th Legislature and the Governor believed this position could fill an important gap in the public service mission of both our Office and the Commission. It has proven its worth in a very short time

Consumer Complaints

The overwhelming majority of Kiera's time since she started has been spent responding to consumer complaints, much more than we anticipated when the position was created. She began taking calls on November 3, two weeks after the FairPoint strike began. As discussed previously before this committee, the strike resulted in an unprecedented number of calls to our office. Over the four month period beginning in November 2014 Kiera received 214 calls from telephone customers, and as of this writing, escalated 127 to FairPoint, of which 117 were resolved. Many of these required multiple calls and follow up; the average time to resolution was more than ten days.

In addition, Kiera fielded more than 100 other consumer calls, across all sectors. The chart below shows the breakdown of calls.

Consumer Advisor Calls, 11/3/14 – 2/28/14



Previously, all of these calls would have been handled by the office’s regulatory attorneys. This volume of calls would have seriously hindered the ability of these attorneys to litigate cases before the Commission.

Informing Consumers

We used what we learned from these customer complaints to develop timely and focused consumer education materials that addressed issues raised by customers. Samples of these materials are attached. They include:

- Guidance for consumers selecting a CEP, including a bill calculator to help customers compare how much they can save on their electricity bill versus a competitive supplier. This page is the single most visited page on our website.
- A press release informing FairPoint customers experiencing phone outages that they were entitled to bill credits for any outage.

- A presentation and workshop in Freeport, in conjunction with Efficiency Maine Trust and CMP explaining the reason for expected winter price increases for small business customers.

We are currently developing additional consumer information materials, including the 2015 Ratewatcher Guide, which we will share with the Committee as they are completed.

Assisting Litigants

Finally, Kiera has also worked with our attorneys to develop materials to assist litigants before the Commission, as contemplated by the OPEGA Report. These include:

- Instructions for how to file an appeal or request reconsideration of a Commission order; and
- Guidance for customers showing the ways that they may get redress if they have an issue with a utility's service. These materials were shared at a public meeting in Boothbay convened in response to electric outages and a fire in late 2014.

In the coming months we also expect to create a centralized reference for these materials, and others that are still in development, including an explanation of how to use the Commission's online docketing system, and updated templates for common types of filings such as ten person complaints and interventions. Kiera is currently working with a web designer to better structure our web page.

In a very short period of time, Kiera has created a series of useful tools that benefit customers, utilities and the Commission. With the resolution of the FairPoint strike, I expect she will be able to devote more time to the other two pieces of her job description, and look forward to sharing the materials she develops with the Committee over the coming months.

This bill should be considered in parallel with the OPA's proposed budget.

Our Office funded this position through our existing assessment through the end of FY 2015, made possible primarily due to anticipated savings associated with lower-than-usual

expenditures on consultants for utility rate cases during this fiscal year. In his veto message regarding a similar bill in the 126th Legislature, Governor LePage said that he supported the intent of the legislation, but felt it was premature to include a statutory position without assessing the long term financial implications on our office. We agree. The cost of the position is included in the proposed budget for the Office of the Public Advocate for Fiscal Year 2016 and 2017. It is my hope that the Committee will consider this bill in parallel with the supporting budget.

Thank you very much for your time.

Respectfully Submitted,



Timothy R. Schneider
Public Advocate

cc: Energy, Utilities and Technology Committee
Paulina Collins, Public Utilities Commission
Water, Gas, Electric and Telecommunications Legislation Lists