STATE OF MAINE
PUBLIC UTILITIES COMMISSION

MAINE PUBLIC UTILITIES COMMISSION Proceeding to Identify Priorities for Grid Plan Filings Docket No. 2022-00322	**JOINT COMMENTS OF ACADIA CENTER, CONSERVATION LAW FOUNDATION, NATURAL RESOURCES COUNCIL OF MAINE, AND THE UNION OF CONCERNED SCIENTISTS** March 16, 2026

Background

On November 1, 2022, the Public Utilities Commission (Commission, PUC) initiated a Proceeding to Identify Priorities for Grid Planning Filings pursuant to LD 1959, An Act Regarding Utility Accountability and Grid Planning for Maine's Clean Energy Future, Public Law 2022, Chapter 702.[1] After a series of workshops and meetings, on July 7, 2024, the Commission entered an Order (Commission Order, IGP Order) identifying priorities and potential steps or actions to achieve the priorities and establishing requirements for the electric distribution companies' (EDCs) inaugural integrated grid plans (IGPs). The EDCs, Central Maine Power Company (CMP) and Versant Power (Versant), filed their plans on December 15, 2025, and January 12, 2026, respectively. Pursuant to the Commission's January 15, 2026, Procedural Order (January 15 Order), CMP held a workshop (CMP Workshop) on February 5, 2026, and Versant held a workshop (Versant Workshop) on February 26, 2026. The Commission's January 15 Order indicated that staff would file an initial memo on its views regarding deficiencies (CMP Staff Memo and Versant Staff Memo, filed March 11, 2026, and March 12, 2026, respectively), after which public comments on the EDCs' IGPs would be due on March 15, 2026, later corrected to March 16, 2026.

Acadia Center, Conservation Law Foundation, the Natural Resources Council of Maine, and the Union of Concerned Scientists share a strong interest in utility planning as a vehicle for ensuring that investments in transmission and distribution (T&D) infrastructure serve Maine state obligations to reduce greenhouse gas (GHG) emissions and achieve the climate change and clean energy requirements of Title 38, section 576-A and section 577, subsection 1, and of Title 35-A, section 3210, as cost effectively, quickly, and equitably as possible. To that effect, we have participated actively in this proceeding, including participating in numerous stakeholder workshops before, during, and after the EDCs filed their IGPs, as well as filing detailed comments in this case (Item Nos. 63 and 80) and in the preceding case, the Commission-

[1] http://www.mainelegislature.org/legis/bills/display_ps.asp?ld=1959&PID=1456&snum=130

initiated Inquiry into the Process to Identify the Priorities for Grid Plan Filings, Docket No. 2022-00290 (Item Nos. 3, 4, and 9).

The integrated grid planning process has been ongoing for several years, and we acknowledge the substantial work that the Commission, the EDCs, and the other involved stakeholders have put in to get to this point. As this is the first set of IGPs that the Commission has ordered, the EDCs have provided, and the stakeholders have engaged on, we have no expectation that the outcome of this first attempt will be entirely perfect, and we appreciate that the IGPs are iterative planning tools that provide guidance more than certainty. The resources required to move the IGPs to this point have been substantial on everybody's part, and we recognize and laud the hard work that has been done.

To better provide accurate commentary on a highly technical subject, Acadia Center engaged a technical consultant, Suzanne Glatz, through GridLab, who provided a written evaluation of CMP's IGP (GridLab report) with respect to the requirements in the Order as well as industry standard practices. The GridLab report is included with these comments as Attachment A. We appreciate the Commission's providing this opportunity to jointly offer the following comments for consideration.

On Deficiencies and Other Shortcomings

For the purposes of these comments, we organize our feedback into two categories: 1) deficiencies with respect to the IGP Order; and 2) areas of improvement for future planning. We draw on the conclusions of the GridLab report in support of a number of our comments below as they pertain to CMP; where we do not elaborate on the recommendations and conclusions of the GridLab report, we take those recommendations and conclusions as our own.

In its January 15 Order, the Commission included a description of legal deficiencies. The Commission noted that, in the case of some requirements, a determination of a material failure to comply would be more straightforward, while, in the case of other requirements, such a determination would require a more "qualitative evaluation." The Commission provided an example that if a utility's effort to satisfy a requirement is "very perfunctory," it would likely amount to a material failure to meet the substantive legal requirement of the IGP Order and be considered a deficiency. Our findings of deficiency take into account the threshold of perfunctoriness posed by the Commission.

Significantly, the Commission Order did not require a detailed quantification of costs or benefits, nor did it identify exactly the manner in which its three established IGP priorities should be weighted or accounted for throughout the plan. As such, even when IGP analysis appears to place less emphasis on the Commission's priorities than might seem appropriately responsive to the Commission's intention, these limitations do not appear to rise to the level of legal deficiencies. Though the Commission Order may have been intended to provide the EDCs with latitude to perform their planning functions, the lack of specificity, identified throughout the

Environmental NGOs' January 31, 2024, Joint Comments (eNGO Joint Comments), simultaneously hinders the evaluation and usefulness of the IGPs.

Identification of Deficiencies

Adhering to the description of deficiency proffered by the Commission in its January 15 Order and in addition to the areas of concern raised in the Staff Memos, we identify the following five deficiencies: 1) the Environmental, Equity, and Environmental Justice (EEEJ) assessments; 2) deficient use of the Commission-approved scorecard; 3) insufficient analysis of Ambient Adjusted Ratings; 4) failure to propose an adequate assessment framework; and 5) the limited selection of battery storage and load management as preferred solutions.

EEEJ Assessment

In the Commission Order, the Commission states that "[t]he utilities must also document all stakeholder input received during the utility-led stakeholder process, including tribal and EEEJ input, in their grid plans and document whether the feedback was incorporated, and if not, why it was not." See Commission Order at 12-13. Section 7.b of the Outline included as Attachment C with the Commission Order (Outline) states that the EDCs must, in their IGPs, list outreach events where EEEJ impacts were discussed, "along with specific examples of how this impacted the grid plan."

Both CMP and Versant appear to have aligned on the EEEJ metrics as proposed in their IGPs. Versant provides a detailed list, over multiple pages, of specific feedback items it received and the ways it did or did not incorporate that feedback into its planning in Section 7.3 of its IGP. While CMP extensively lists all of the outreach it performed, it includes only one example of how its outreach impacted a specific project, in Portland, but does not identify what relevant feedback it received or how that impacted the Portland project. See CMP IGP at 135. CMP provides only one sentence describing the feedback it received through its outreach and provides only one more discussing where that feedback is incorporated in its IGP. See CMP IGP at 136. CMP does not discuss at all *how* the feedback impacted the grid plan, just identifies the relevant IGP subtopics. Only one piece of the feedback that CMP notes in this section relates specifically to the metrics in the EEEJ scorecard category, "reducing impacts related to project construction," but CMP does not indicate whether or how this feedback was incorporated into the development of its EEEJ metrics. *Id.* In Section 1.2.1 of CMP's IGP, there is additional explanation of tribal feedback that is not identified in Section 7 of the IGP, which discusses EEEJ. See CMP IGP at 22. There is, however, no indication of whether or how the *tribe's* feedback was incorporated into the filed IGP, either in Section 1.2.2, which does list some high-level feedback and where in the IGP it is considered, or in Section 7.2.

Though CMP did not provide the details needed to ensure stakeholders have insight into the specific feedback that it received, it appears extremely unlikely that, given the more than 100 outreach engagements CMP identifies across Section 7.2 of its IGP, one sentence is enough to accommodate either the extent of the relevant feedback it received or the extent to which that

feedback “impacted the grid plan.” CMP’s response to Outline Section 7.b accordingly appears “very perfunctory,” language the January 15 Order uses to describe a response that rises to the level of a deficiency.

Both CMP’s and Versant’s plans were also deficient in describing how the EEEJ impacts were “weighted against other considerations in the planning process and investment prioritization,” as required in Section 7a of the Grid Content Outline (Attachment C) from the Commission’s Order. Without this, it is unclear how the utilities factored EEEJ impacts into the choice of preferred alternatives in the scorecards. For example, Versant states: "Balancing affordability, reliability, equity, and climate objectives without established *weighting methods* [emphasis added] is challenging. Formalizing *weighting* approaches through stakeholder engagement will be critical for improving transparency and comparability." See Versant IGP at 147. And CMP states: “CMP expects that the *weighting* [emphasis added] of environmental, equity, and environmental justice impacts against other scorecard categories will be project-specific. CMP anticipates that the interpretation and application of the scorecard criteria, in particular the equity metric, to [sic] evolve and be refined in future grid plans.” See CMP IGP at 134.

The Staff Memos for CMP and Versant highlight this problem and request additional clarity and improvement regarding the EEEJ impact quantification and justification. As an example, the Commission notes for both EDCs that the percent of disadvantaged communities used in the equity metric “does not differentiate across all solutions and is therefore not useful in the context of a scorecard evaluating alternatives.” The Staff Memos also indicate that this lack of differentiation is exacerbated by the identical narrative CMP uses for the EEEJ explanations in the scorecard and the lack of narrative on EEEJ scoring in Versant’s scorecards.

Deficient Use of the Scorecard

CMP is deficient in its use of the Commission-approved scorecard template. CMP provides scorecard templates in Appendix E of the CMP IGP, however only some of the filled templates match the template provided in Attachment D to the Commission Order, which includes four options for the comparative assessment. Without identifying a reason, CMP includes only 3 comparative options in 15 out of its 16 scorecard templates. A substantial benefit of an IGP is in providing transparency around the decision-making that otherwise occurs in relative obscurity within the capital planning process; however, here CMP appears to have made an unexplained determination that, of the 18 solutions the Company identified in its solution set (see CMP IGP at 85-88), for 15 of the 16 scorecard templates provided, only 3 solutions should be evaluated.

CMP has stated that its “capital investment plan…[is] based upon the…*range of potential solutions* identified in CMP’s Integrated Grid Plan” (*emphasis* added). See Docket No. 2026-00043, CMP Notice of Intent to File Rate Case. In limiting the examined alternatives from four to three in almost every circumstance at the scorecard template level, CMP appears also to be limiting the alternatives that may be examined during its more detailed capital planning process. As the Commission refrained from requiring the use of detailed economic benefit-cost analysis in the IGPs, the capital planning process is where that more detailed analysis will be done. As

such, the capital planning process should not be limited to the Company's top three identified solutions when there may be a fourth that does not rise to the top in the scorecard process, but could improve its value prospect under a more comprehensive benefit-cost analysis.

In presenting 15 out of 16 scorecard templates with only 3 alternative solutions, instead of the 4 included in the template provided by the Commission, CMP is deficient in its use of the Commission-approved scorecard.

Insufficient Analysis of Ambient Adjusted Ratings

In Section 1.d. the Outline specifies that the EDCs are expected to include discussion of "[e]fforts planned or currently underway regarding regulatory and policy changes." See Outline at 1. Though CMP identifies that FERC Order 881 requires the implementation of Ambient Adjusted Ratings (AARs) on the transmission system across New England by the end of 2026, neither CMP nor Versant included any discussion or analysis of 1) implementing AARs or 2) the impacts thereof on their modelling or assumptions. See CMP IGP at 26.

AARs use the forecasted ambient air temperature to determine the safe power flow limits, and under certain conditions will allow additional headroom on a transmission asset than would be available under the limitations of conservative static ratings. See GridLab report at 10. AARs may not necessarily be relevant for incorporation into planning scenarios under a summer peaking system, which is built to accommodate an annual demand peak under hot weather conditions, but AARs increase safe load limits under cold conditions because the ambient air temperature cools grid infrastructure. CMP acknowledges that Maine's grid is forecast to switch to a winter peaking system in 2027, and "[a] winter peaking system has different operational characteristics and needs than a summer peaking system, which is a significant consideration in overall system and resource planning and investments." See CMP IGP at 47. In mandating the adoption of AARs, the FERC found "that applying the AAR requirements to all transmission lines will both ensure that wholesale rates remain just and reasonable and strike an appropriate balance between benefits and challenges of AAR implementation."[2]

Neither CMP nor Versant accounts for AARs in their modelling or planning in any way, even though CMP found 114 thermal overload violations on its system under the winter peak scenario, and Versant identified a shift to winter peaking in "the coming years." See CMP IGP at 72; Versant IGP at 84. Versant neither mentions AARs nor clearly identifies when it forecasts the winter peak switch to occur. Versant also does not clearly identify when its transmission needs are forecast to occur, however it is not unreasonable to expect that AARs, had they been incorporated into analysis, may have had some impact. See Versant IGP at 99. Though the GridLab report identifies that "AARs…are not typically applied in reliability planning studies," it continues by noting that the shift to winter peak "may offer opportunities for more detailed location specific studies that consider ratings at lower temperatures than currently applied." See GridLab report at 10.

[2] E-1-RM20-16-000 | Federal Energy Regulatory Commission page 64 section 84. https://www.ferc.gov/media/e-1-rm20-16-000

Additionally, the use of AARs, a FERC-required technological update, is clearly aligned with two of the three subcategories included in Commission priority one: "Make investments that cost-effectively maintain or improve reliability;" and "[r]educe barriers to promote cost-effective [non-wire alternative (NWA)] solutions and identify any process improvements/efficiencies[.]" See Commission Order at 22. Given the near-term federal requirement of this technology, the Commission's specification in the Outline on efforts planned to address regulatory changes, and the nexus with the Commission's priorities, EDCs' lack of consideration of AARs in their IGPs appears to rise to deficiency.

Assessing Progress toward Priorities, Measures of Effectiveness

As the GridLab report identifies, CMP provides a high-level overview of progress metrics for the IGP outlined in Section 8, but it does not provide "specific, measurable targets," instead often defaulting to status updates or targetless assessments. GridLab report at 13. Versant provides a similar, though much more limited, set of high-level tracking measures, but its proposed measures are targeted at counting technologies and solutions implemented or planned throughout the Versant IGP. See Versant IGP at 144. These are not measures of effectiveness, but rather measures of measurement. The EDCs' proposed metrics fall significantly short of providing a reliable "measure [of] the effectiveness of the grid plan and progress towards the priorities and improving reliability, resiliency and enabling the cost-effective achievement of the State's GHG emission reduction and climate policies." Outline at 4. Though we appreciate Versant's inclusion of some EEEJ-focused metrics in project tracking in the Assessment portion of the plan, the provided metrics do not substitute for a fulsome tracking schema with specific, measurable targets, which can be used as an actual measure of *effectiveness*, rather than a measure of what is being measured.

Neither EDC's system of metrics includes: 1) specific, target milestones for implementation of IGP-identified solutions or initiatives, 2) periodic identification of progress and costs associated with that implementation, or 3) continued explanation of the nexus of actual projects to "the priorities and improving reliability, resiliency and enabling the cost-effective achievement of the State's GHG emission reduction and climate policies." These or similar targets and explanations would be needed to be responsive to the Outline's requirements under Section 8. As such, both EDCs appear to be deficient with respect to sufficiently addressing the Commission's Order.

Limited Selection of Battery Storage and Load Management as Preferred Solutions

Battery Energy Storage Systems (BESS) and load management and flexibility played extremely limited roles as preferred solutions in CMP's and Versant's plans, even though they were identified favorably as possible solutions. For example, CMP only selected one BESS project and one load management project out of 166 near-term distribution solutions, totaling $575 million to $950 million over the next five years. See CMP IGP, Exhibit 5.5 at 97. CMP also did not rank BESS very high for near-term transmission solutions totaling $1.55 billion over the next five years. See CMP IGP, Exhibit 5.6 at 99-100. These results appear somewhat unreasonable given that CMP ranked BESS first in 2 out of 16 scorecards, and second in 8 of the scorecards.

As noted in the GridLab report at 11, "storage is increasingly recognized not as a supplemental resource, but as a foundational tool for actively managing the variability and bidirectional complexity that high DER penetration introduces. Deployed effectively and at sufficient scale, it can defer or avoid costly T&D upgrades, smooth variable renewable integration, and preserve affordability for customers."[3]

Versant's plan does not appear to have selected BESS and load management (which it labels "non-traditional solutions") as preferred distribution solutions. However, the ranking for Versant's combined Energy Storage/DER/NWA solution was second in 12 scorecards, third in 41 scorecards, and fourth in 10 scorecards, and the scorecard ranking for demand response was third in 6 scorecards and fourth in 69 scorecards. See Versant Workshop presentation at 35. In addition, Versant's preferred solution for transmission-related violations did not include any BESS or load management solutions, while the second ranked solution included only a demand response program, and the single solution including BESS ranked fifth out of six alternatives. See Versant IGP, Figure 5-2 at 115.

It is noteworthy that the scorecard analysis of Versant's transmission-related solutions appears to score Solution 1 (no demand response) and Solution 2 (demand response) such that Solution 2 comes out ahead, based purely on the categorical analysis visible on the scorecard itself. Versant explains that, regardless of the preferable scorecard rating for Solution 2, Solution 2's demand response component "*may* [emphasis added] increase the overall cost of Solution 2. As a result, detailed cost estimates should be developed collaboratively among the parties involved, including EMT, to ensure accuracy and alignment with ongoing initiatives." See Versant IGP at 115-6. This clearly indicates that the scorecard analysis is overly subjective and the EDC is weighting NWA solutions less favorably.

The lack of granular, time-series data and analysis is contributing to a great underestimation of the value and benefits of these solutions. The *Maine Pathways to 2040* study also shows a much greater role for energy storage and identifies demand management and flexibility as a key strategy for reducing peak demand and costs.[4]

CMP and Versant both plan to own and pursue these projects as pilots, even though each of these solutions is well-established and has been deployed commercially and cost-effectively in many other utility service territories. While we understand that CMP and Versant have limited experience using and operating these technologies on their systems, there is no reason identified why the EDCs would need five years or more to test them as pilot projects before feeling confident in doing more comprehensive deployment. Given that the scorecard analysis, even with limited time-series analysis, appears to sometimes identify BESS and load reduction as favorable opportunities, all options for integration should be seriously considered to expedite these solutions, if the EDCs are not comfortable moving forward in a timely fashion.

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[3] See also *Storage Gap: Deployment Challenges in the East* (2026), available at www.gridlab.org.
[4] *Maine Pathways to 2040 Analysis and Insights*, January 2025, https://www.maine.gov/energy/sites/maine.gov.energy/files/2025-01/Maine%20Pathways%20to%202040%20Analysis%20and%20Insights.pdf

As Chair Bartlett stated at the CMP Workshop, “if [CMP] can essentially delay a major expense for ten years by demand response, it doesn't seem like you would need to own it. And the same would be for a battery. If you had contractual arrangement or had operational control, it seems like if it can solve the need at a lower cost, we've got to figure out how to get that into the planning process.” CMP Workshop Transcript at 75. We agree; viable and expedient alternatives to utility ownership could include issuing an RFP to allow other third-party entities to competitively bid, own, and operate these projects. Indeed, DOER recently announced a competitive solicitation for energy storage to meet Maine’s energy storage targets, and it is considering a competitive solicitation for demand management in 2026, as well.[5] EMT also has extensive experience designing and operating demand management programs for residential, commercial, and industrial customers in CMP and Versant’s service territories that could also benefit the EDCs.

Given the apparent unexplained preferential weighting against BESS and load management solutions in the scorecards and the lack of exploration of any alternative arrangement beyond utility ownership, which is not clearly allowed under the Maine statutory and regulatory regime, it appears that the consideration of these solutions was more for show than to identify cost-effective means to address the Commission’s three priorities, and thus deficient.

In asking the EDCs to correct this deficiency, the Commission should require CMP and Versant to coordinate with DOER, EMT, and others to further investigate and pursue these options, to develop a plan for addressing regulatory barriers, and to put much greater emphasis on deploying these solutions in the grid plans.

To address this deficit in future grid plans, we recommend in the *Standardized, Minimum Solution Set* section below that the Commission establish a minimum set of solutions, with sufficient detail pertaining to each solution (i.e., third-party ownership, etc.), that the EDCs must incorporate. A standardized solutions library of this kind would create consistency across the utilities’ evaluation frameworks and ensure that alternative and often less costly solutions, such as BESS, demand management, rate design, and grid flexibility, are given due consideration.

Areas of Improvement for Future Planning

While it is important for the Commission to require CMP and Versant to address the deficiencies described above, we also identify seven areas of improvement that the Commission should address or require the utilities to address in future grid plans. These include: 1) improvements to the EEEJ assessment to include more meaningful, quantitative metrics; 2) improvements to the NWA process; 3) establishment of a standardized solutions library; 4) greater engagement from the Commission during the 18-month planning period; 5) improving access to information and data through the Case Management System (CMS); 6) more strategic use of technical working groups; and 7) disadvised use of “no regrets” terminology.

[5] https://www.maine.gov/energy/divisions/planning-policy/solicitations

EEEJ Assessment

Maine's 2022 grid planning law, An Act Regarding Utility Accountability and Grid Planning for Maine's Clean Energy Future, codified at 35-A M.R.S. § 3147(2), directed the utilities to include an assessment of the EEEJ impacts of the grid plans in their filings. The Commission Order states: "The utilities must include in their grid plans a proposal, informed by their stakeholder discussions and outreach to EEEJ communities, of how to evaluate and measure these impacts including possible metrics or other ways to measure or evaluate and track EEEJ impacts in the near and longer term." Commission Order at 34. The Commission further specified and elaborated on these requirements in Section 7 of the Outline, which includes requirements for the utilities to describe how they weighted EEEJ impacts against other considerations and investment prioritization and to include a list of any required follow-up to the input they received. In addition, the Commission noted that, because these are the initial grid plans, they expect the process to be refined in future grid plans.

Versant presented its proposed plan and methodology for assessing EEEJ impacts on August 19, 2025, at its Milestone 2.5 stakeholder meeting. We provided verbal input to Versant at that meeting and in written form on September 19, 2025, as described in more detail below. Versant provided detailed responses to the feedback submitted by our groups and other stakeholders in Section 7.3 of their IGP. Versant IGP at 136-138.

In contrast, the first time CMP presented its EEEJ methodology publicly was at its Milestone 3 stakeholder meeting on November 25, 2025 (two days before Thanksgiving), though they did describe their EEEJ methodology at a meeting with just our groups on November 18, 2025. As CMP submitted its plan to the Commission on December 15, 2025, this only gave CMP about two weeks to incorporate any feedback and make any changes at the same time the Company was also finalizing the rest of its plan. As noted in the EEEJ deficiency section above, CMP appears to have adopted the same methodology and metrics used in Versant's EEEJ assessment. In addition, as noted in the CMP Staff Memo and at the CMP Workshop, the scoring and narrative CMP used for the EEEJ Assessment in the Scorecard is the same in all 16 scorecards, which does not allow CMP to differentiate EEEJ impacts between different types of solutions. As discussed in the deficiency section above, CMP did not indicate what specific feedback it received on the EEEJ assessment and how it incorporated that feedback into its IGP, as required by the Commission's Order. From the information that CMP has provided, it does not appear the Company put a great deal of thought into its EEEJ assessment but rather left it to the last minute.

As indicated in the written feedback we provided to Versant, we believe Versant's and CMP's EEEJ assessments could be much stronger, and the Commission should require the utilities to include more quantifiable metrics and make other improvements in future grid plans. While Versant provided several responses to the feedback we provided, it did not make any substantive changes to its methodology or metrics, which appears subsequently to have been adopted by CMP, based on that feedback. Because of this, we reiterate some of this feedback

for the Commission as it considers requiring improvements to the EEEJ assessment in future grid plans. We also provided numerous examples of quantifiable EEEJ metrics used in other states and at the federal level in our joint comments from January 31, 2024, that could also help inform future improvements.

Future grid plans should require the utilities to do a better job cross-referencing EEEJ-related metrics with impacts that are covered in other areas of the grid plans rather than having the EEEJ assessment be a stand-alone section near the end of the plan. Versant acknowledges that cost, affordability/energy burden, reliability, and deployment of DERs all have equity-related impacts that are addressed in other areas of the plan and "that they are important to [a] holistic EEEJ assessment[.]" Versant IGP at 136. Versant further recognizes "that a more comprehensive aggregate scoring of EEEJ metrics could be useful in future iterations of the IGP and is open to working with regulators and stakeholders on such an approach[.]" Id. We agree, particularly as many of the equity-related metrics in other areas of the plan are quantitative in nature, and explicitly incorporating them into the EEEJ assessment could result in a more objective assessment. Improved objectivity is valuable in evaluating and selecting potential solutions for capital planning and other decision-making processes, such as rate cases, Certificate of Public Convenience and Necessity (CPCN) applications, and NWA applications.

The following summarizes the feedback we provided to the utilities on the equity, emissions, and environmental impact metrics:

- Equity metric. Using the CJEST 2.0 mapping tool to do a locational analysis of whether solutions to affected grid infrastructure will benefit disadvantaged communities is a good approach that could provide more detailed and quantitative information. However, we also recommended including more quantitative information in the assessment instead of, or in addition to, the proposed qualitative approach of measuring equity as low, medium, or high impact, which has limited value. For example, rather than reporting only the percentage of customers served, present quantitative information on how infrastructure investments could benefit disadvantaged communities in terms of reduced outages, economic development, DER deployment, efficiency investments, and other solutions.

- Emissions metric. Simply indicating whether a proposed solution will increase or decrease emissions, whether directly or indirectly, has limited value. In most cases, it is clear whether a proposed solution will increase or decrease emissions. A more useful approach would be to quantify or estimate potential emissions impacts of different solutions. This provides usable information for determining which solutions have the greatest impact for disadvantaged communities experiencing disproportionate levels of pollution. It could also help identify specific places where it might make sense to encourage greater investment in energy efficiency, DERs, beneficial electrification, and other solutions that reduce emissions and consumer bills. Versant acknowledged that different solutions could provide either benefits or harms to disadvantaged communities, but, in response, simply changed its EEEJ evaluation to refer to "impacts" on disadvantaged communities rather than "benefits." See Versant IGP at 137. While

Versant also indicated that because it does not own generation, it has no influence over siting decisions for new power plants, estimating emissions impacts of alternative solutions proposed in IGPs is possible and could be an important factor in deciding which solutions to implement to help meet Maine's climate and clean energy goals.

- Environmental impact metric. Measuring environmental impacts by narrowing focus on whether a solution will increase or decrease the development of new land (measured as low, medium, and high) also has limited value. A more valuable solution would be to include detailed quantitative information, where available, on grid investments and potential solutions that will result in negative or positive impacts across a broader range of environmental impacts (e.g., emissions, water use, waste disposal, wildlife, biodiversity, etc.) and different types of land use (wetlands, farmland, urban areas, conservation or protected lands, coastal areas, etc.).

We agree with the CMP and Versant Staff Memos that request additional clarity and improvement regarding the EEEJ impact quantification and justification. We also agree with Commission Staff that CMP needs to provide more information on how it determined, measured, and weighted EEEJ impacts against other considerations in the grid plan, and how it plans to track those impacts over time.

Insufficient Attention to Promoting Cost-Effective NWA Solutions

In the IGP Order, the Commission placed a high degree of importance on NWAs as a least-cost means of achieving the planning goals. The IGP Order identified "reduc[ing] barriers to promote cost-effective NWA solutions and identify any process improvements/efficiencies" as a potential step or action for utilities to achieve the priority of reliability and resilience improvements. See IGP Order at 14.

CMP envisions reducing barriers through several strategies, but eschews responsibility to do so itself. In Section 5.5 of its grid plan, CMP describes reducing barriers to NWA through: (a) leveraging more granular data and advanced planning tools to improve forecasting and project targeting; (b) standardizing BCA methodologies to promote consistency and transparency in evaluating NWA solutions; and (c) piloting new technologies and approaches, including the transition to time-series analysis, to enhance planning accuracy and flexibility. CMP IGP at 103. Although implementing these strategies both necessitates utility leadership and cooperation and falls within utility jurisdiction in the NWA framework, CMP offered no plan or proposal for advancing any of these strategies.[6]

Furthermore, at the CMP Workshop CMP signaled that it would not support cost-effective alternatives to conventional utility infrastructure. In an exchange with PUC Chair, Commissioner Bartlett, CMP indicated that it would not consider least-cost solutions that involve third-party "contractual arrangement or operational control," stating that the utility would only consider a

[6] For its part, Versant includes no analysis of NWA barriers in its IGP. To the best of our knowledge, the utility's annual plans have yet to trigger review by the NWAC.

reliability solution if it could own and control it: “[O]ur position is if an asset is needed and required to maintain reliability, it's important for us to have that ownership and control.” CMP Workshop transcript at 74.

It is telling that out of 166 near-term distribution solutions totaling $575 million to $950 million over the next five years, no NWA was identified as a cost-effective alternative to conventional utility investments. See CMP IGP at 97. That its IGP analysis identified not a single opportunity to reduce, defer or avoid investments through NWAs underscores the extent of CMP’s failure to “promote cost-effective NWA solutions” as required by the IGP Order.

While this failure may not amount to a legal deficiency as outlined by the January 15 Order or be easily remedied by CMP’s providing additional information to the Commission, it is clearly an area that needs to be improved in future planning. In subsequent planning orders, we recommend the Commission be more explicit about how it expects utilities to promote and deploy cost-effective alternatives, including but not limited to NWAs, in their planning. We suggest an option for resolving barriers to NWA through the Commission’s use of technical working groups in the *Strategic Use of Technical Working Groups* below.

Standardized, Minimum Solution Set

The solutions identified and evaluated by the utilities are inconsistent, not comprehensive, poorly justified, and often fail to provide credible analysis of alternative solutions. This is especially concerning for the purposes of affordability and cost control, as alternative solutions such as NWAs, BESS, demand management, and grid flexibility can reduce, defer, and avoid costly grid investments.

As discussed above in the context of the *Limited Selection of Battery Storage and Load Management as Preferred Solutions*, the utilities’ different solutions evaluation frameworks resulted similarly in the selection of only a scant few non-traditional investments and identified no opportunities for third parties nor opportunities to reduce, delay, or defer investments.

To help ensure that sufficient attention is paid to cost-effective alternatives in future planning, we encourage the Commission to issue a minimum set of solutions that the utilities would be required to evaluate, with sufficient detail on each solution to ensure that key cost-cutting aspects are taken into account, i.e., third-party ownership and operation. This may be able to help utilities overcome their biases toward conventional and costly, utility-owned infrastructure.

Commission Engagement during the 18-month Planning Period

In our January 31, 2024, filing (eNGO Joint Comments), joint commenters advocated in favor of the Commission convening a “technical advisory group [that] would consist of industry expert volunteers who can provide independent peer review of planning methodologies, tools, and modeling results throughout the planning process,” including during the 18-month period when the utilities are developing their plans. eNGO Joint Comments at 12. The purpose of such a

model in part would be to involve Commission Staff during the planning process to help "identify potential gaps in the utilities' analysis, develop consensus, and enable greater transparency and independent vetting." Id. Furthermore, "[b]y enabling information exchange and dialogue during the 18-month planning process, this forum would also make the 60-day public review of the grid plans easier for stakeholders." Id.

The recommendation to create a technical advisory group was also proposed by the Governor's Energy Office (GEO) in its September 1, 2023, and February 1, 2024, filings. In its September 1, 2023, comments at 4, GEO stated: "During the 18-month period, an advisory group should be convened at regular intervals, perhaps once a month, to discuss the evolving grid plan with utilities, to ensure stakeholder priorities are being incorporated, and to share information out to the public in plain language and accessible formats. The advisory group should have authority to elevate concerns to the Commission for resolution. The advisory group should include an independent technical expert, who should also review all final models that inform the grid plan."

While we continue to strongly support the establishment of a technical advisory group organized under the auspices of the Commission to track and inform the utilities' progress, if the Commission prefers to continue with the more limited requirement of three milestone meetings, then we recommend that Commission Staff be centrally involved in those meetings. Milestone meetings held at pivotal points in the 18-month planning process should be oriented toward providing updates to and soliciting feedback from regulators as much as advisory experts and the public, in order to provide feedback as the utilities develop assumptions, inputs, and methodologies, generate modeling results, identify grid needs, and evaluate solutions. These meetings could be similar to the CMP and Versant Workshops, providing opportunity for questioning and inquiry posed by Staff and Commissioners. This approach would help reduce the likelihood of substantial gaps and misunderstandings emerging only at the end of the process (e.g., capacity constraints without due consideration of reliability and resilience investments in the case of Versant and CMP, and bottom-up vs. top-down forecasting in the case of Versant). See CMP and Versant Staff Memos.

Access to Information through the Case Management System (CMS)

Neither Versant nor CMP adequately satisfied the statutory requirements pertaining to data access. 35-A M.R.S. §3147 (5) requires that, "[c]onsistent with section 1311-A [regarding the issuance of protective orders], a covered utility shall ensure to the greatest extent practicable that any information related to the filing is provided in a forum accessible to interested parties and all relevant data and distribution planning modeling tools are available to interested parties." However, in its plan, CMP requires that "interested parties must submit an application to Chris Morin, Senior Director of Integrated System Planning, at gridandclimateplanning@cmpco.com or by mail to 83 Edison Drive, Augusta, ME 04336." CMP IGP at 75. For its part, Versant provides no option for accessing data and as a result could be found deficient on this issue.

Noting that the eNGO joint commenters did not apply to Mr. Morin, we nonetheless find CMP's approach to data access highly problematic. Firstly, private mail or email communication does

not conform to the statutory requirement that information be provided in a "forum" accessible to interested parties. Secondly, any requests for access, any denial or approval of requests, CMP's screening standards for approval, and any data or information provided through this exchange remains unknown to other stakeholders. This total lack of transparency firmly reinforces the information asymmetry that favors utilities and contradicts statutory intent. Thirdly, it is our understanding from a party who did apply to Mr. Morin, that CMP requires non-disclosure agreements for access to information, thereby restricting the ability of parties to raise concerns or other findings to the Commission in comments. While CMP's data access process may not clearly rise to the level of a deficiency insofar as some access was enabled, it is indefensibly opaque and should not be allowed to persist in the next iteration of the IGP.

The failure to provide any access to data or modelling does arguably amount to a legal deficiency for Versant, though the Commission may not want to correct the issue at this late stage in the extant IGP process. To ensure compliance with statute, uphold procedural transparency, and ultimately establish a more rigorous planning process, we urge the Commission in future IGP iterations to specify and enable a process for routing data requests through its CMS using protective orders, as required by statute. This could be achieved by allowing stakeholders to submit discovery after utilities have submitted draft plans, but prior to the opening of the 60-day comment window.

Strategic Use of Technical Working Groups

Earlier in the extant proceeding, pursuant to 35-A M.R.S. §3147(2) and described in a May 18, 2023, Procedural Order, the Commission established technical working groups to resolve issues pertaining to three subject areas: forecasting load and supply, solutions evaluation criteria, and data availability and collection. Via its facilitation consultant, the Commission convened each working group once.

We urge the Commission in subsequent IGP proceedings to take full advantage of technical working groups to resolve issues that have emerged through this initial process and in adjacent proceedings as intractable, technical issues necessitating further attention outside of adjudication. Two examples of such subject areas are:

> 1) Barriers to NWA as identified in the Commission's February 27, 2026, Report to the Joint Standing Committee on Energy, Utilities and Technology in Docket No. 2025-00307 and echoed in Section 5.5 of CMP's IGP (CMP IGP at 104); and
>
> 2) Barriers within utility planning standards to achieving cost savings, especially from time-series analysis as it relates to flexible interconnection, DER interconnection and BESS.

Regarding this second point, in the CMP Staff Memo, Staff noted that "CMP's IGP lacks discussion about how shifting towards time-series analysis will impact planning standards[.]" CMP Staff Memo at 5. In the IGP Order, the Commission agreed with our earlier suggestion "to

direct the utilities to present information in their initial grid plans on…updates to planning standards required for [the] transition [to time-series analysis].” See IGP Order at 21. The impact of AAR assumptions on planning standards is another issue that utilities have failed to address, per our discussion above. Furthermore, barriers to interconnection in utility planning standards is a reoccurring issue in adjacent proceedings, for example flexible interconnection (Docket No. 2025-00312) and Chapter 324 rulemakings (Docket No. 2025-00303). Despite its relevance to numerous regulatory priorities, there is currently no forum for addressing technical barriers within utility planning standards (e.g., as it pertains to current practices of modeling system impacts of BESS as charging on peak or the impact of AAR assumptions on system capacity per the discussion above). Therefore, a dedicated working group to address these issues outside of an adjudicatory setting would be helpful on multiple fronts.

The Misnomer “No-Regrets”

We strongly urge the Commission to bar utilities from using “no-regrets” to describe investment options to address forecasted grid needs identified through the IGP process. The term is a misnomer, a misleading and inaccurate way to describe the initial screening of grid needs at this stage in the planning process. For instance, CMP apparently claims $790 million to $1.3 billion in “no-regrets” near-term distribution infrastructure investments, while Versant claims $125-170 million. These enormous sums include few if any projects that have progressed to the actual capital planning process, through which proposals would be determined to be necessary, i.e., submitted as part of the utilities’ annual five-year plans, a CPCN or a rate case and subjected to review by the NWAC. Using the language “no-regrets” confers a false sense of necessity and certainty to the solutions identified through the IGP process.

Conclusion

We appreciate the opportunity to provide these written comments and look forward to continued engagement to support the Commission in advancing Maine’s grid planning practices.

Respectfully submitted,

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