



Memorandum

May 28, 2025

To: Board of Trustees
From: Peter Eglinton, Deputy Director
Re: Authorization to disclose confidential information to comply with federal reporting requirements

Proposed Motion

Move to authorize the Trust to disclose confidential program participant information to the U.S. Department of Energy (DOE) to comply with federal reporting requirements associated with awards under the Inflation Reduction Act (IRA) Home Energy Rebates program and the Energy Improvements in Rural or Remote Areas (ERA) Program.

Background

Per the terms and conditions of the IRA Home Energy Rebates program funding awards and the ERA grant, the Trust must provide DOE with detailed program participant information that falls under the definition of "confidential records" in the Efficiency Maine Trust Act ("EMT Act") (see, 35-A MRS §10106(1)). In certain cases, this information includes participant name, address, contact information, income status, utility account numbers, and energy usage information.

Section 10106(1) of the EMT act states that "the social security number, address, telephone number or e-mail address of a customer that has participated or may participate in a program of the trust is confidential." That same section of the EMT Act designates as confidential "A. A record obtained or developed by the trust that: . . . (3) Contains information about the energy usage profile of an identifiable customer of a transmission and distribution utility in the State or an identifiable customer of a distributor of heating fuel or other energy source."

Section 10106(3) of the EMT Act prohibits disclosure of records designated confidential by the statute, but allows the EMT Board to "make or authorize any disclosure of information of the following types or under the following circumstances:

- A. If necessary in connection with processing any application for, obtaining or maintaining financial assistance for any person;
- . . .
- C. Information necessary to comply with any federal or state law or rule or with any agreement pertaining to financial assistance."

Staff requests that the Board authorize the Trust to disclose confidential personally-identifiable information as required for processing, authorizing, or confirming rebates under the IRA Home Energy Rebates program and the ERA program per the Board's authority under 35-A MRS §10106(3)(A) and (C).