



## Memorandum

October 1, 2025

To: Board of Trustees

From: Anne Stephenson, Assistant Deputy Director for Operations  
Peter Eglinton, Deputy Director

Re: Authorization to Disclose Confidential Information to Comply with Federal Reporting  
Requirements

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### Proposed Motion

Move to authorize the Trust to disclose confidential information related to program participants to the U.S. Environmental Protection Agency (EPA) as part of the New England Heat Pump Accelerator program. This information will be aggregated with other participant information across New England by the reporting and management consultant for the program, the Vermont Energy Investment Corporation (VEIC), working on behalf of the grant lead, the State of Connecticut's Department of Energy and Environmental Protection (DEEP). This information and its transfer will be handled according to the Trust's Confidential Information Management System (CIMS) Policy.

### Background

Per the terms and conditions of the New England Heat Pump Accelerator grant, the Trust must report 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 confidential program participant information (including participant contact information, utility and energy usage information, income details, and household size). It may also include proprietary information including number of units sold by a particular distributor or retailer.

On May 28, 2025, the Board voted to authorize EMT to disclose confidential program participant information (including name, contact information, address, utility and energy usage information, income details, and household size) to the U.S. government to comply with reporting requirements associated with federal funding awards. That said, the New England Heat Pump Accelerator grant involves two intermediaries (VEIC) and the State of Connecticut DEEP, so Staff decided to return to the Board to get approval for this flow of 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." "A financial statement or tax return" is also considered confidential. The same section of the EMT Act designates as confidential "[a] record obtained or developed by the trust that . . . [c]ontains 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 tracking grant reporting metrics (particularly location in low-income communities) under the EPA’s Climate Protection Reduction Grant program and per the Board’s authority under 35-A MRS §10106(3)(A) and (C).

The Trust will enter into an agreement and protocol with VEIC and the State of Connecticut consistent with the Trust’s Confidential Information Management System (CIMS) Policy.