

# AVANGRID: DANGEROUS FOR RATEPAYERS, DANGEROUS FOR THE ENVIRONMENT, DANGEROUS FOR NEW MEXICO

August 2023



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**About Us**

New Mexicans Against Avangrid is a project of the New Mexico Foundation for Civic Excellence (NMFCE), operating as a 501(c)(3) tax exempt organization. NMFCE promotes civic action and advocacy on matters related to the environment, economic development, health and safety of New Mexicans through voter and public education, research, litigation, legislation and regulatory work. We are based in Albuquerque, New Mexico.

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# EXECUTIVE SUMMARY

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Iberdrola is one of the largest utility companies in the world, with \$4.6 billion in profit last year.<sup>1</sup> It has pushed to enter New Mexico's energy market through a proposed merger between its U.S. subsidiary Avangrid and local electrical utility PNM.<sup>2</sup>

Despite the many promises Avangrid/Iberdrola has made to the state,<sup>3</sup> an analysis of the company's operations in other locations over the last decade shows that New Mexico's Public Regulation Commission (PRC) is right to have significant concerns about this company's ability to operate in the best interests of ratepayers and the environment. Whether the company's many problems stem from simple mistakes and faulty systems, as the company claims, or a systemic pattern of overbilling, as multiple regulatory agencies, lawsuits and complaints have alleged, ample evidence suggests that it is prudent for New Mexico to proceed without Avangrid.

**Dangerous for ratepayers.** Avangrid/Iberdrola has a documented history of making life difficult for its customers. Over the last decade, the company and its eight U.S. utilities have been subject to regulatory investigations and class action lawsuits

and countless ratepayer complaints.<sup>4</sup> One of these utilities, Central Maine Power, has ranked last in the nation for residential customer satisfaction for the last four years in a row.<sup>5</sup> The allegations contained within these actions and complaints tend to follow a similar pattern.

**High rates** – Whether through accidental (though consistent) overcharging, the proposal of steep, unjustified rate increases through the regulatory process, or other, high rates follow where Avangrid/Iberdrola operates. In 2022 alone, Avangrid/Iberdrola proposed increasing energy rates across its Northeast markets by a total of \$690 million.<sup>6</sup> Regulators significantly reduced this total in every state where an increase was considered.

**Dysfunctional customer service** – Power being shut off inappropriately, excessive wait times to speak with a representative on the phone, difficulty accessing accounts or resolving issues online, rude or dismissive customer service agents – the local press and public hearing testimony in the regions where Avangrid/Iberdrola's utilities operate are filled with stories about customers' inability to resolve what appear to be incorrectly high bills due to dysfunctional customer service.



**Aggressive collection tactics** – In the U.K., Iberdrola has been accused of breaking into people's homes, among other aggressive tactics. In the U.S. and the U.K., Avangrid/Iberdrola subsidiaries have been accused of employing collection agencies, threatening legal action against customers with billing issues and harassing customers with repeated phone calls. In some cases, aggressive tactics are used even after a customer alerts the company to a mistake. A whistleblower employed in an Iberdrola/Scottish Power call center told the BBC in 2021 that he was instructed to threaten customers even when bills are incorrect.<sup>7</sup>

**Dangerous for the environment.** When profits come first, the environment is a secondary concern. Although Avangrid/Iberdrola makes a large portion of its profits from renewables, it will also work against environmental progress when it benefits the bottom line.

**Undermines climate policy in the U.S.** – Avangrid/Iberdrola has lobbied against incentives for rooftop solar panels in Maine<sup>8</sup> and against the electrification of infrastructure in favor of natural

gas in New York.<sup>9</sup> It has shirked responsibility for its own environmental cleanup in Connecticut<sup>10</sup> and fallen short on its promises for wind development in Massachusetts.<sup>11</sup> Again and again, it appears on the wrong side of state-level climate efforts.

**Top shareholders allied with oil and gas** – Iberdrola's two top investors – the State of Qatar and Blackrock Inc. – are entities with significant investments in the oil and gas sector.<sup>12</sup> Together these two companies control nearly 14 percent of the company's shares.

**Supports politicians and groups opposing climate solutions** – Avangrid/Iberdrola supports politicians who deny the human impact on climate, has contributed to several groups lobbying against climate solutions, and has given nearly \$50,000 to the American Gas Association's political action committee.<sup>13</sup>

The following is an analysis of Iberdrola subsidiaries in English-speaking countries only. It is sourced from readily available press coverage and other records found online.

## Avangrid/Iberdrola Corporate Structure

Avangrid Inc. (NYSE: AGR) is a U.S. subsidiary of Iberdrola Group, which retains a more than 80 percent stake. Iberdrola is a publicly traded global energy giant based in Spain and has operations around the world. Avangrid, the U.S. arm of Iberdrola, is based in Orange, Connecticut, with operations in 24 U.S. states.<sup>14</sup>

Iberdrola has posted healthy profits recently – \$4.6 billion in 2022. In 2023, Iberdrola had €146 billion (\$158 billion) in assets and reported €2.5 billion (\$2.7 billion) in net profit for just half the year, up 21 percent from the first half of 2022.<sup>15</sup> Avangrid has approximately \$41 billion in assets.<sup>16</sup>

Avangrid has two primary lines of business: Avangrid Networks and Avangrid Renewables. Avangrid Networks owns and operates eight electric and natural gas utilities, serving more than 3.3 million customers in New York and New England.<sup>17</sup> Avangrid Renewables owns and operates a portfolio of renewable energy generation facilities across the United States.<sup>18</sup> This report focuses on Avangrid Networks primarily.

# AVANGRID TIMELINE

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The following is a sampling of news stories and regulatory actions involving Avangrid/Iberdrola over the last three years. News stories appear in red and regulatory actions in black.

## 2023

**Maine, August** – On an Avangrid/Central Maine Power ratepayers’ Facebook group, a woman posted, “We have discovered that my elderly mother has been being over charged to the point it is insane.”<sup>19</sup> She explained that her mother was charged \$2,600 that month and that such high charges had been going on for a while. An independently hired electrician confirmed low-normal usage, while the company sent what appeared to be “fixers” to lay the blame on the customer. Several posters responded that the same thing had happened to them. One said, “We are still paying off the old outrageous and inaccurate balance, despite our filed complaints to the MPUC [Maine Public Utilities Commission]. They just told us, prove we didn’t use the power.” Another customer was told by Avangrid/CMP that she must have had “a ghost” using extra power.

**Massachusetts, July** – Avangrid Renewables and its subsidiary Commonwealth Wind agreed to pay \$48 million in penalties to three Massachusetts utilities to back out of a previously arranged power purchase agreement because Avangrid wanted to charge the state more for wind energy than it had agreed to.<sup>20</sup> The termination was a setback for renewable energy efforts in the state.

**New York, June** – Avangrid was penalized with \$21.6 million in “negative revenue adjustments” for “lagging” performance.<sup>21</sup> The New York Public Service Commission penalized both Avangrid/Rochester Gas and Electric (RG&E) and Avangrid/New York State Electric & Gas (NYSEG) for failing to meet all four of its customer service metrics. Avangrid/NYSEG was the only utility in the state that failed to meet its reliability target.

**Maine, May** – Between April and May, Avangrid/CMP sent out 19 percent more disconnection notices than it did in 2022, to 62,000 households.<sup>22</sup>

**New York, May** – The state’s Public Service Commission initiated a “management and operations audit” of Avangrid/NYSEG and RG&E billing issues.<sup>23</sup> “This audit will shine a light on the ongoing billing issues and consumer complaints directed at NYSEG and RG&E and will help play a role in resolving those problems.”

**New York, April** – Avangrid/NYSEG resumed service shutoffs and late fees to pre-pandemic operations.<sup>24</sup> It informed customers that their power would be shut off if they didn’t respond.

**Connecticut, April** – The state’s Public Utilities Regulatory Authority (PURA) released a request for proposals from qualified consulting firms

for assisting in the review and investigation of the financial and operating records of Avangrid's gas utilities.<sup>25</sup>

**Connecticut, April** – Attorney General William Tong submitted a 41-page brief opposing Avangrid's "bloated" and "unsupported" \$136.5 million rate increase, stating in part, "From a request to fund pet sitting services for its employees working from home on a hybrid schedule, to its request for ratepayers to fund \$30,000 'European' Loyalty Awards for its already handsomely compensated employees, to its request for a solar and battery storage project costing \$14.7 million to service two customers on Pleasure Beach Island, UI's [Avangrid subsidiary United Illuminating's] rate application grasps for ratepayer funding that is neither prudent nor reasonable."<sup>26</sup>

**Connecticut, April** – The state's Public Utilities Regulatory Authority (PURA) found that Avangrid/Connecticut Natural Gas earned \$8 million more than the company was allowed, but the state can recoup only \$4 million for ratepayers given the rules; the rest goes to Avangrid shareholders.<sup>27</sup>

**New York, March** – According to *Tompkins Weekly* in Lansing, New York, "Throughout the COVID-19 pandemic and well into 2023, New York State Electric and Gas (NYSEG) customers have had a wide variety of billing problems and some have faced challenges when it comes to making payments."<sup>28</sup> The article outlined issues with missing bills, doubled-up bills and in one case three bills in one month for \$1,300 each. An Avangrid spokesperson blamed a "perfect storm" of contributing factors, such as the COVID-19 pandemic and the ensuing "severe" shortage of workers.

**Spain, March** – Iberdrola's president, José Ignacio Sánchez-Galán, was declared Spain's highest-paid executive in 2022.<sup>29</sup> He received income and shares worth €13.06 million.

**U.K., March** – Iberdrola/Scottish Power was found the "worst offender" among utilities for forcibly entering into customers' homes with warrants to install "prepayment meters," which can cut off power for those who don't pay their bills.<sup>30</sup> Scottish Power installed 24,300 of these in 2022. In February, U.K. energy regulator Ofgem launched an investigation and called on energy producers to stop such practices.<sup>31</sup> Iberdrola/Scottish Power claimed to have complied.<sup>32</sup>

**New York, February** – Avangrid/NYSEG settled for \$2.75 million with New York's Public Service Commission for causing a gas fire that destroyed a home due to faulty equipment the utility had known about for a decade.<sup>33</sup> After its mistake caused the fire, Avangrid/NYSEG was unable to turn off the gas to the area when alerted by firefighters, an essential step to combatting the fire.

**Maine, February** – A local news station spoke to a homeowner with an Avangrid/CMP bill that went from \$561 in December to \$1,201 in January,

with no increase in usage.<sup>34</sup> “It’s price gouging,” the homeowner said, “There’s no question.”

**U.K., February** – The *Falkirk Herald* profiled a local family facing a £12,000 electricity bill from Iberdrola/Scottish Power.<sup>35</sup> The family was confused as to why they were being charged as much as £1,500 per month, four to five times as much as they had been charged in their previous house, which was about the same size.

## 2022

**Connecticut, December** – Avangrid placed blame for its high rates – which were due to rise by 50 percent the following month – on the companies generating electricity, saying they should “open their books.”<sup>36</sup>

**Maine, December** – CMP ranked last among large utilities in a nationwide customer satisfaction survey for the fourth year in a row.<sup>37</sup>

**Connecticut, November** – Avangrid/United Illuminating was fined nearly \$4.5 million for failing to contact consumers directly before applying for wage garnishments and for referring inactive accounts to third-party collection agencies without giving notice to residential customers, in violation of COVID-19 rules.<sup>38</sup> In May, state regulators settled a case with Avangrid for \$3 million related to this same issue.<sup>39</sup>

**Connecticut, November** – Avangrid/UI and Eversource Energy submitted cost increases so high that they caused a “torrent of indignation” and calls for a special session of the Connecticut General Assembly.<sup>40</sup> “Our supply rates always fluctuate between winter and summer, but this is not normal,” Attorney General Tong said.

**U.K., September** – Ofgem, the U.K. gas and electricity regulator, issued a provisional order to Iberdrola/Scottish Power over its debt repayment plans.<sup>41</sup> It ordered the company to contact customers to ensure that repayment plans were affordable, among other things. A month later, Ofgem announced that these requirements had been complied with.

**Maine, September** – Avangrid’s proposed hydropower transmission line, key to emission reduction in the state, was met with strong opposition due to mistrust of the company as a result of skyrocketing bills and its opposition to rooftop solar.<sup>42</sup>

**U.K., August** – Customers were so angry about high bills that they took over Iberdrola/Scottish Power offices in protest.<sup>43</sup>

**Maine, May** – Governor Janet Mills and Public Advocate Bill Harwood announced their opposition to Avangrid/CMP’s notice of intent to file for a rate increase.<sup>44</sup> Mills said, “There is simply no way that increasing folks’ electricity bills right now can be considered just and reasonable. I will fight this.”

**New York, April** – Citing 4,700 complaints, 60 percent more than the previous two years combined, members of the New York State Senate and



Assembly wrote a letter to the governor of New York urging a denial of rate increases and an investigation into NYSEG and RG&E's "management and administrative competencies."<sup>45</sup> Assembly member Lea Webb said, "In my office, we are constantly hearing stories from constituents about incorrect bills, late bills, and multiple months of bills arriving in their mailboxes in staggering amounts." Assembly member Anna Kelles said, "Inaccuracy and overcharging in billing are not harmless and [have] caused serious financial distress to consumers."<sup>46</sup>

**New York, May** – Avangrid/RG&E and NYSEG's proposed rate hikes were denounced by Governor Kathy Hochul.<sup>47</sup>

**New York, March** – Residents lined up in a storm to provide two hours of testimony on RG&E billing practices at a Monroe County meeting.<sup>48</sup> "Utilities are rarely popular," wrote one local publication covering the hearing, "but Rochester Gas & Electric has drawn a special furor in the past two years." Speaker after speaker complained of about astronomical bills. "An 82-year-old retiree said she had received a \$5,900 bill; another woman said her bill had reached nearly \$7,200 after months of fruitless attempts to get an accurate meter reading."

**Connecticut, March** – The Connecticut Office of Consumer Counsel called for an investigation of Avangrid "for suing customers and seeking wage garnishment for unpaid bills during the height of the COVID-19 pandemic, which goes against the Public Utilities Regulatory Authority and the steps taken to help vulnerable and low-income consumers."<sup>49</sup>

**Maine, February** – The Maine Public Utilities Commission (MPUC) voted to take the next step in investigating how Avangrid/CMP's management by its parent company affects local ratepayers.<sup>50</sup> The investigation stemmed from an independent audit of CMP completed in 2021 that raised concerns about oversight of CMP by Connecticut-based Avangrid and its owner Iberdrola of Spain. The audit concluded that systemic problems with this structure could be partly to blame for the customer service and billing issues that led Maine to fine CMP nearly \$10 million in 2020.

## 2021

**U.K., December** – Iberdrola/Scottish Power's "debt team" appeared in a video obtained by the BBC breaking into the wrong home for bill collection.<sup>51</sup> The resident, away on vacation, was not even a Scottish Power customer. Scottish Power reportedly admitted the error, apologized, and offered compensation.<sup>52</sup>

**U.K., December** – A whistleblower claimed that call handlers working on behalf of Scottish Power were told to threaten customers with debt enforcement – even over mistaken bills.<sup>53</sup> "It may be a wrong meter reading, they've not been billed correctly, they might not be responsible for it, or they're not a Scottish Power customer," he said. Until the customer officially resolved the mistake, however, "we're going pursue

them for that debt. We tell them if they cannot pay that balance in full today, or make a part payment, then I need to advise them that that can involve litigation, third party involvement, extra charges being applied, impact on credit reference or worst case scenario, we can enforce a prepayment meter in your property. Even if it's not your debt. . . . We've all raised concerns about it. I've had people screaming, crying, threatening to kill themselves on the phone.”<sup>54</sup> After the BBC published this interview, Scottish Power opened an investigation and vowed to resolve all “harassment” cases.

**U.K., December** – A woman described the “living hell” she experienced as she was pursued by Scottish Power over mistaken bills.<sup>55</sup> The 64-year-old told BBC Scotland that she was threatened with debt collection and missed a COVID-19 booster waiting for enforcement officers she believed were coming to change her locks.

**New York, November** – Avangrid/RG&E produced “energy bill confusion” after the launch of an opt-out program to switch customers to a new renewable supplier for electricity.<sup>56</sup> The actual price increases were significantly higher than what Avengrid/RG&E initially promised. “It kind of bothers me because they didn’t really do a good job educating people,” one customer said. “Like you got a flyer but like they made it seem like it’s going to be no change really it’s just gonna be green energy.”

**New York, October** – Avangrid/RG&E announced that 319,000 customers would see a 33 percent increase in heating bills from one year to the next, 12 percent higher than the projected statewide average at the time.<sup>57</sup>

**Maine, September** – MPUC asked Avangrid/CMP to produce a “performance plan” to describe how it would address concerns raised by a recent audit.<sup>58</sup>

**New York, August** – A community organization in Rochester established a web page for logging stories about problems with Avangrid/RG&E.<sup>59</sup> “You are not alone!” it proclaimed. “High energy bills, poor service, and inhumane shutoffs are just some of the things we know need to change.”

**Connecticut, May** – Avangrid/UI was issued a notice of violation for failures to comply with state performance standards and accident reporting requirements. It was fined \$2.1 million.<sup>60</sup>

**Maine, April** – Regulators formally launched an investigation into Avangrid/CMP after it tried to force unprecedented, costly upgrades on solar providers, an industry that threatens its profits.<sup>61</sup> Governor Mills was among those who pushed for an investigation. The utility dropped its demands upon meeting this strong opposition.

**Maine, February** – Avangrid/CMP said local solar providers had to make hundreds of millions of dollars in upgrades due to “problems” they were causing at Avangrid substations.<sup>62</sup> This would have upended the solar providers’ ability to operate. CMP has lobbied against rooftop solar in the state.<sup>63</sup> The solar industry said that Avangrid/CMP was threatening the momentum of solar development with its actions. “I’ve never seen

anything like this,” a representative of the solar industry said, adding that his group planned to ask MPUC to open an investigation.

**Maine, January** – Avangrid/CMP sent disconnection notices to customers in winter, despite rules prohibiting disconnection until spring.<sup>64</sup> As a result, state representative Seth Berry introduced legislation to prohibit this practice, which he called “abusive” and “terrifying.”

## 2020

**Maine, November** – It was reported that three years after the launch of a new billing system, Avangrid/CMP was still fixing defects in the system that resulted in overcharging.<sup>65</sup> CMP spokesperson Catharine Hartnett said, “I think the challenge is in the word ‘defect.’ These are system issues that come up in every major IT system.” As of August 2023, however, accounts of significant overcharging with no way to get money back were still being posted on the CMP Ratepayers Unite website.<sup>66</sup>

**U.K., November** – Ofgem opened an investigation into Iberdrola/Scottish Power’s limited smart meter rollout in 2019, which caused a large number of customer complaints.<sup>67</sup>

**U.K., March** – Iberdrola/Scottish Power was profiled in the *Guardian* for “‘cruel’ harassment of householders over debts they don’t owe.”<sup>68</sup> The article included several extreme stories involving Scottish Power’s harassment of non-customers for outstanding bills.

**New, York, February** – The Public Service Commission of New York announced a \$10.5 million settlement with Avangrid/NYSEG over its failure to follow state-approved emergency response plans before a 2018 storm, causing massive blackouts.<sup>69</sup> NYSEG admitted to 18 violations of its own emergency response plans; RG&E admitted to three.

**Maine, January** – State regulators imposed a \$10 million penalty on Avangrid/CMP for its poor customer service and required a comprehensive management audit.<sup>70</sup> The action caps a long investigation of the company’s rollout of a new billing system that has caused errors, and repeated promises by the company to fix the problem.

**Maine, January** – After multiple investigations stretching over nearly two years, MPUC issued Avangrid/CMP a penalty equivalent to nearly \$10 million for poor customer service, billing issues and management failures.<sup>71</sup> The commission concluded that Avangrid/CMP mismanaged the rollout of its new billing system, causing inaccurate or late bills for tens of thousands of customers. The television news reporting that prompted the investigation found that the average daily usage shown in bills after the rollout of the system shot up 111 percent.<sup>72</sup> Regulators claimed not to have found evidence of overbilling. Nonetheless, CMP customers were issued \$300,000 in refunds following the close of the investigation.

# DANGEROUS FOR RATEPAYERS

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**Avangrid's U.S. utilities have consistently applied for high electric and gas rate increases – a total of \$690 million in 2022 alone.**

For at least a decade, from Europe to the U.S., from Maine to New York, ratepayer complaints and regulatory actions have proliferated against Avangrid/Iberdrola-controlled utilities, and they are still actively accumulating as of the writing of this report. Most of these revolve around a pattern of overbilling, often overlapping with extreme, even bizarre customer service problems. Through this same period, Avangrid's U.S. utilities have consistently applied for high electric and gas rate increases – a total of \$690 million in 2022 alone,<sup>73</sup> a year when Avangrid's parent company, Iberdrola, posted profits of \$4.6 billion.<sup>74</sup>

These billing irregularities, collection tactics and proposed rate increases have been questioned by multiple government entities, covered by numerous esteemed international media outlets, litigated in multiple lawsuits and investigated by several energy regulators. The outcomes of these actions have varied: rates were renegotiated, settlements

were reached, cases were dismissed, and findings were made both against and for Avangrid/Iberdrola. Additional investigations were initiated against the company in 2023 that are not yet concluded (see Timeline). Given the history of allegations, the significant attention in the press and the ongoing investigations, it would be imprudent to enter into any deal with Avangrid at this time.

## PATTERN OF OVERBILLING

Accounts of overbilling followed by aggressive debt collection tactics date as far back as 2013<sup>75</sup> and persist as recently as August 2023.<sup>76</sup> In February 2013, the London *Times* wrote that Iberdrola had “taken a dividend of almost £900m from its British subsidiary Scottish Power after pushing through inflation-busting rises in household bills,” angering customers who protested high energy bills.<sup>77</sup> The average annual bill, the *Times* noted, had doubled in the previous five years, pushing one in five homes into fuel poverty. Ten years later, in February



“ In my office, we are constantly hearing stories from constituents about incorrect bills, late bills, and multiple months of bills arriving in their mailboxes in staggering amounts. **New York State Assembly Member Lea Webb** ”

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2023, the local press in Falkirk, Scotland, profiled a struggling family facing a £12,000 electricity bill from Iberdrola/Scottish Power – the same story.<sup>78</sup>

In some cases, the high bills are ostensibly accidental: resulting from a billing error, according to the company. Whether in the U.K., Maine, Connecticut or New York, however, the accounts are uncannily similar. Sometimes this overcharging is so extreme as to be ridiculous – a £50,000 bill in the U.K. in 2016<sup>79</sup> and \$68,000 in New York more recently.<sup>80</sup> Other times, it is small enough to pass unnoticed for years.

One exasperated Maine woman posted on a Facebook page dedicated to Central Maine Power (CMP) complaints in August 2023:<sup>81</sup>

We have discovered that my elderly mother has been getting ... over charged to the point it is insane. (This month, Aug. 2023 has a double billing cycle of over 1300.00 for each bill). We had a private electrician come and look over our system, and he said “low normal” use is occurring. There is no heated pool, no hot tub, no large marijuana grow, nor bitcoin mining, like the CMP rep asked ... basically nothing to explain the extreme bills. ... This has been going on for years (now that we have looked at her past bills).

Another replied, on the same thread, “Same exact story here. ... We are still paying off the old outrageous and inaccurate balance, despite our filed complaints to the MPUC. They just told us, prove we didn’t use the power. We couldn’t because we didn’t have what you have, verification from a licensed electrician. Please go forward as best you

can with your evidence!”

Avangrid/Iberdrola is generally steadfast in its assertion that its overbilling problems are all due to mistakes – issues with systems, understaffing, or new meters. Utility officials often acknowledge the problems, even apologize. They appear on news programs making statements like this one from Rochester Gas and Electric (RG&E) CEO Patricia Nilsen: “We’re concerned for all of our customers. For those that have been less than satisfied with our billing – we hear you, we’re taking steps to improve.”<sup>82</sup> Yet as of the writing of this report, the problems continue.

## PURSUES MAXIMUM RATE INCREASES ON ALL FRONTS

Avangrid/Iberdrola’s professed contrition for chronic overbilling is belied by the aggressive action it has taken to raise rates as high as possible. In 2022 Avangrid filed for a total of \$690 million in proposed electric and gas rate increases across its U.S. utilities in New York, Connecticut, Maine and Massachusetts, all of which were lowered by regulators.<sup>83</sup> It applied for rate increases that year at all of the eight utilities in its portfolio. Public opposition to these proposed increases was nearly unanimous and spurred thousands of comments, many of them citing billing irregularities. Regulators pushed back against these increases and limited them significantly.

### New York

In New York, where New York State Electric & Gas (NYSEG) and RG&E proposed increases totaling

“ My office, along with the offices of other legislators within NYSEG’s service area, has received hundreds of calls and emails from constituents in a panic over the energy bills they have been receiving. Inaccuracy and overcharging in billing are not harmless and has caused serious financial distress to consumers. **New York State Assembly Member Anna Kelles** ”

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\$450 million<sup>84</sup> – equating to around \$250 annually for the average residential customer – 32 members of the New York State Legislature penned a letter urging the governor and the New York State Public Service Commission to deny the increases on the basis of, among other things, “egregiously mishandled” billing errors, “transparency issues,” “the many deficiencies and errors contained” in the utilities’ rate filings and the “vague and non-responsive” nature of the utilities’ participation with the ongoing state investigation.<sup>85</sup> Governor Kathy Hochul called the rate hike requests “outrageous and unacceptable” and urged the Department of Public Service to “scrutinize every number and word of this proposal to protect New York families from unjustified and unfair rate increases.”<sup>86</sup> In June 2023, Avangrid reached a proposed settlement with the state for moderately lower increases.<sup>87</sup> (A ruling on the settlement is expected in the fall of 2023.)

### **Connecticut**

In Connecticut, Avangrid’s United Illuminating Company (UI) proposed a \$131 million increase that would have resulted in an 8 percent rate hike for customers.<sup>88</sup> UI reportedly refused to provide information requested by regulators to justify such an exorbitant increase. Despite unprecedented pressure from corporate executives and lobbyists, regulators rejected the company’s proposed plan in a ruling issued in August 2023. The decision slashes UI’s proposed rate increase by 83 percent.<sup>89</sup>

The attorney general argued that “United Illuminating sought a bloated, unsupported rate hike padded with exorbitant guaranteed corporate profits.”<sup>90</sup>

When a draft decision called for a revenue increase of \$2 million, Avangrid/United Illuminating reacted with a public relations and lobbying campaign, arguing that any limits to its desired rate increase would hinder its ability to make critical infrastructure upgrades.<sup>91</sup> Some state lawmakers and officials criticized that campaign for going too far in attempting to coordinate public pressure to sway the decision of the Public Utilities Regulatory Authority (PURA).<sup>92</sup> Connecticut lawmakers have been so distressed by the utilities’ “free rein” in the state that they have pushed a movement toward “performance based” ratemaking.<sup>93</sup>

### **Maine**

In 2022 CMP proposed a \$98.8 million increase that would have increased customer’s bills by up to 8 percent over three years.<sup>94</sup> Maine’s Office of Public Advocate filed a motion to dismiss the proposal, arguing that CMP’s evidence regarding its proposed multiyear rate plan did not satisfy the commission’s standards for cost-of-service or incentive ratemaking, meaning these portions of CMP’s rate request were not just and reasonable as a matter of law.<sup>95</sup> In the end, regulators approved a rate increase of just one-third of the company’s proposed amount.<sup>96</sup>

With rate increases come disconnection notices. Between April and May 2023, after CMP's increases went into effect, CMP sent out 62,000 disconnection notices, about 19 percent more than the previous year<sup>97</sup> (this after being fined \$500,000 in 2020 for improperly mailing out disconnection notices<sup>98</sup>). In New York, following the announcement of the proposed settlement there, a representative of AARP told a local news outlet, "What we hear from our members when things like this go into effect is it causes them to have to make tough choices between putting food on the table, taking the medicines they need, keeping the lights on."<sup>99</sup>

## DYSFUNCTIONAL CUSTOMER SERVICE

Avangrid/Iberdrola's chronic billing errors are compounded, in many customer accounts, by inadequate, insensitive or inept customer service. Customers speak of power being shut off inappropriately; bills that are inappropriately high, late, missing or wrong; excessive wait times to speak to customer service; and difficulty accessing accounts or resolving issues online. When customers try to contact a utility to discuss these problems, they report being met with excessive wait times, false assurances, accusations, evasions and outright lies.

The following excerpts from a single evening of public comment held by the New York Department of Public Service (DPS) in early 2023 – and there were many such sessions over the course of the DPS investigation at that time – demonstrate the range of problems Avangrid/Iberdrola's customers deal with, as well as their frustration, bewilderment and desperation.<sup>100</sup>

We've been receiving multiple bills. And every time it's a different amount. And when I try to call, I'm on hold for at least an hour or more. It's just been very frustrating. I've been writing letters and getting very little response. So I'm not sure what to do next.

So my bills are typically – I'm a single homeowner – \$89, \$78, \$63, \$95. I get the next bill in January for \$317. The next bill I get is \$547. I have changed no habits. I wash dishes once a week, laundry once a week. I keep my thermostat at 62 degrees. I really have no lights on, no explanation why they've doubled and tripled actually five times now my bills. . . . I have changed nothing.

So in late 2021, I didn't get a bill for over five months. . . . I called them regularly, asking, hey, where's my bill? They're like, oh, we're sorry. Someone has to manually approve your bills and we just don't have the time. So it'll happen when it happens. And I was like, well, I can't pay, you know, five bills worth at once. Are you going to do that? Oh, no, no, we won't send you more than one bill at a time. Well, they sent me, you know, five months of bills all at once. And then I had to go on a payment plan because I couldn't afford it all at once. So that was the first thing that happened. . . . [When the same thing happened again] I called them back and said, what should I do? And the woman said, oh, well, you should just pay a random amount every month that you think you owe, so that this doesn't happen to you. Okay. So I started doing that, which I should not have to do.

So when I sold the house in July, I started getting different kinds of bills and they were clearly not mine because I didn't live in the house anymore. And didn't own the house anymore. And I called, and was on hold or got shifted around for over an hour, typically. I used the customer service website and wrote to them, and ultimately someone said I should get a lawyer. Someone from NYSEG said I should get a lawyer which I just found absolutely mind-blowing. There is no customer response and there is no accuracy in the billing. At one point they lost my account number . . . the incompetence is unbelievable.

In October of 2020, I began receiving obscene bills, one for \$865. Days later \$300. A couple weeks after that \$550. . . . It's just impossible that that's even remotely accurate. I live in a

“ From a request to fund pet sitting services for its employees working from home on a hybrid schedule, to its request for ratepayers to fund \$30,000 ‘European’ Loyalty Awards for its already handsomely compensated employees, to its request for a solar and battery storage project costing \$14.7 million to service two customers on Pleasure Beach Island, UI’s rate application grasps for ratepayer funding that is neither prudent nor reasonable. Connecticut Attorney General William Tong ”

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1,400 square foot ranch with propane heating. Prior my bills were about \$150 a month. After filing a complaint with DPS, NYSEG did not get back to me within the allotted 15 days. And after reaching back out to DPS, the investigator with NYSEG reached out. The conversation that followed was the most inappropriate and bizarre experience I will ever have as a consumer. I was belittled, told repeatedly that I simply didn’t get it, that these bills were reasonable. At one point, the investigator literally said, it’s – it’s mind-blowing and I’m not conflating. She literally said, I don’t know why you people think this is NYSEG’s fault. . . . I could go on and on about this strange pattern, you know, beyond the three minutes here. It’s just – it’s unbelievable. I’m not sure where to go. I feel held hostage because I am stuck paying these absurd bills that are clearly incorrect. And if I don’t pay them, they’ll shut my electricity off which they’re threatening to do. Like everyone in this call, I’m exhausted. And the needless hardship this organization has caused to the State is not an inconvenience, it’s a crime.

These problems are not limited to New York. One CMP customer complained in a Facebook forum in August:<sup>101</sup>

My bill was running super high. I got behind because it was running 450 with minimal usage. They made every excuse possible. My

appliances . . . no they’re 4 years old and I ditched my deep freezer and microwave. Then they said it’s my wiring. No it was all redone 4 years ago. Then they said it was my well pump. No I had someone test it. I know it’s the smart meter. I received my bill in the mail due Aug 24th. This was not a disconnection notice just a large bill. This past Friday morning they disconnected my electricity. I called them and set up a unreasonable payment arrangement because I had no choice. Now I have a reconnect fee as well. . . . I looked it up and if you receive a disconnect you have ten business days to make a payment or payment arrangement. They’re now not only tampering with usage numbers now they are disconnecting people illegally without notices.

This posting is followed by several comments recounting similar troubles – a typical pattern.

## AGGRESSIVE COLLECTION TACTICS

Avangrid/Iberdrola has engaged in aggressive collection tactics on bills that were clearly excessive, even in instances when ratepayers were trying to resolve the issue or during the COVID-19 pandemic, when laws were passed to ban such tactics to protect vulnerable residents. This practice has been especially prevalent in the



U.K. In 2020 the *Guardian* profiled several Scottish Power customers who were pursued for years for payments they certainly did not owe.<sup>102</sup>

The ordeal began with a text informing Gerald Slater that he owed Scottish Power £300 and urged him to get in touch. Slater is not, and never has been, a Scottish Power customer and assumed it was a scam. Then the calls started. They repeated he owed £300 in unpaid fuel charges, although no bill had ever been sent to his home. The calls pursued him to his wife's hospital bedside where she was being treated for cancer. ...

Pensioner Brenda Fuller was hounded for eight years by letters addressed to a stranger demanding £7,000, although she has been supplied by British Gas for the 40 years she has lived at her home. ...

Paul Walsh was doorstepped by debt collectors acting for Scottish Power after he'd spent a year contesting bills for an account that wasn't his. ...

Emma Gillard and her partner tried for four years to persuade Scottish Power they had never been customers. The company continued to demand sums of up to £12,000 in letters addressed first to "The Occupier" and then, after they had identified themselves in their complaints, in each of their names. Eventually, it conceded an error, only to send debt collectors to their door six months later with a bill for £10,000.

A whistleblower from Scottish Power – the employee of an outsourced company, who worked

in a call center in Scotland – told the BBC in 2021 that he and his fellow call center operators were instructed to pursue customers aggressively even when the problem was clearly the company's error:<sup>103</sup>

It may be a wrong meter reading, they've not been billed correctly, they might not be responsible for it, or they're not a Scottish Power customer. However, until that's dealt with then it's going to stand, we're going pursue them for that debt. We tell them if they cannot pay that balance in full today, or make a part payment, then I need to advise them that that can involve litigation, third party involvement, extra charges being applied, impact on credit reference or worst case scenario, we can enforce a prepayment meter in your property. Even if it's not your debt.

It was not, he admitted, a pleasant job. "We've all raised concerns about it," he said. "I've had people screaming, crying, threatening to kill themselves on the phone. It does have a toll on you, yeah, definitely. Just as a normal human being because you've got morals, you've got principles."

Stories of overbilling followed by aggressive debt collection tactics date as far back as 2013<sup>104</sup> and as recently as August 2023.<sup>105</sup> In a 2018 class action lawsuit filed over the issue in Maine, it was discovered that there were connections between Iberdrola's management team in the U.K., where the problem was first noted in 2013, and the team in the Northeast leading Avangrid's utilities in the U.S., where the problem appeared in 2017.<sup>106</sup>

# DANGEROUS FOR THE ENVIRONMENT

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**Iberdrola's largest shareholder is the State of Qatar, where oil accounts for 70% of government revenue.**

Although Avangrid/Iberdrola makes a large portion of its profits from renewables and claims to “support ambitious objectives and frameworks for climate policies that are in line with the Paris Agreement and [create] value for society,”<sup>107</sup> a closer look at the company's controlling interests, political contributions and other actions show that it will work against environmental progress when doing so benefits the bottom line. Avangrid/Iberdrola's two top investors are entities with major ties to oil and gas profits. It supports a large number of politicians who deny the human impact on climate. And it has contributed to groups lobbying against climate solutions.

Avangrid/Iberdrola boasts that it has been honored by Ethisphere five times as one of the “world's most ethical companies.”<sup>108</sup> What it does not say is that Ethisphere is a for-profit organization, that nearly all awardees nominate themselves, and that awardees pay thousands of dollars for

use of the logo on the Ethisphere website.<sup>109</sup> Past multiyear winners have included polluter Waste Management,<sup>110</sup> controversial defense contractor Booz Allen,<sup>111</sup> and pharma giant Pfizer.<sup>112</sup> In addition, while Iberdrola has attended many recent United Nations Climate Change Conferences, the company, like other investor-owned utilities in attendance, was also a paid conference sponsor.<sup>113</sup> There is reason to look more closely at Avangrid's claims.

## **AVANGRID UNDERMINES CLIMATE POLICY IN THE STATES WHERE IT OPERATES**

**Avangrid Fails to Follow Through in Massachusetts**  
Under the Clean Energy and Climate Plan for 2050, Massachusetts committed to cut carbon emissions to 50 percent of 1990 levels by 2030.<sup>114</sup> Avangrid won three of five bids for long-term sustainable

power contracts to underwrite this energy transition.

But two of the projects have floundered: a power transmission line through Maine that voters and regulators in that state have resisted<sup>115</sup> and an offshore wind project that Avangrid has tried to sell to other investor-owned utilities.<sup>116</sup> The state fined Avangrid \$48 million for abandoning the offshore wind project.<sup>117</sup> One report described the situation this way: “One company [Avangrid] could sink Massachusetts’ climate goals.”<sup>118</sup>

Legislators are beginning to argue that Avangrid should be banned from bidding future projects given its track record in the state. In March 2003, Sen. Michael Rodrigues, chair of the Senate Ways and Means Committee, wrote that “any company that non-performs on an existing contract should be deemed disqualified and be barred from bidding on any future projects in the state. When companies do not act in good faith, they should be stricken from future bids, plain and simple.”<sup>119</sup>

### **Avangrid Funds Front Groups to Fight Decarbonization in Maine**

Avangrid/CMP frequently opposes environmental advocates and experts. In 2021 Avangrid created a front group called Maine Affordable Energy, and Iberdrola contributed at least \$8,378,000 to the organization,<sup>120</sup> which was formed to fight a 2023 citizen-backed ballot issue. The ballot issue, supported by organizations like 350 Maine, Maine Climate Action, Maine Youth for Climate Justice, and Sierra Club Maine, would create a new nonprofit consumer-owned utility company.<sup>121</sup> Maine Rep. Seth Berry estimated that a consumer-owned power utility could save ratepayers \$9 billion over 30 years.<sup>122</sup>

In 2017 CMP successfully lobbied against a bill preserving incentives for rooftop solar panels.<sup>123</sup> Avangrid Maine PAC, meanwhile, has contributed more than \$55,000 to Republican lawmakers in the state.<sup>124</sup>

### **Avangrid Lobbies Against the Green Energy Transition in New York**

Avangrid/Iberdrola was involved in founding and funding a fossil fuel front group called New Yorkers for Affordable Energy (NY4AE).<sup>125</sup> Established in 2017 by pipeline companies, gas industry groups, business associations, and pipeline labor unions, NY4AE has consistently lobbied for expanding methane gas infrastructure and against the electrification of infrastructure.<sup>126</sup> The Public Accountability Initiative analyzed \$1.4 million in political donation contributions and \$15.5 million in lobbying activity since 2016 and found that Avangrid was among the 10 key backers of the organization.<sup>127</sup>

### **United Illuminating Allows Superfund Site to Fester in New Haven**

Avangrid spent \$2.9 million lobbying in Connecticut between 2013 and 2020.<sup>128</sup> A report from the Climate Social Science Network found that in that time, Avangrid submitted more than 10 positions in opposition to priority climate positions. In fact, Avangrid opposed more priority climate bills in the state legislature than any other group. In particular, Avangrid joined other utilities in the state in arguing against the regulation of natural gas and opposed bills to limit pipeline construction and reduce methane leaks.

The political activities of investor-owned utilities like UI and Southern Connecticut Gas prompted the governor in June 2023 to sign a bill prohibiting them from charging customers for lobbying, trade association dues, public relations expenses and efforts to argue for rate increases.<sup>129</sup>

But Avangrid’s bad environmental record in Connecticut does not stop there. Since 2015, the company has been embroiled in one of the most high-profile environmental justice and remediation projects in the state. The historic English Station plant, formerly owned by UI (it was sold in 2000), stopped operating in 1992 and the site is tainted with polychlorinated biphenyls (PCBs) and other toxic chemicals, posing an ongoing risk to the Mill



River and the majority poor and working-class Latinx community neighboring the plant.<sup>130</sup> In 2016 UI and the Connecticut Department of Energy and Environmental Protection (DEEP) entered into a partial consent order in which the utility agreed to investigate and remediate the site by 2019.

UI committed at least \$30 million to the project – but 2019 came and went. There was a single community meeting with UI officials but little improvement or cleanup at the site.<sup>131</sup> Instead, state records reflect a revolving door of project managers.<sup>132</sup> To date, the company has not received approval from DEEP for any accounting costs for the cleanup.<sup>133</sup> Indeed, the timeline on the company's English Station Remediation website ended in December 2020.<sup>134</sup>

Now, nearly four years past the deadline agreed to in 2016 and eight years after the partial consent order, the state of Connecticut is taking action.<sup>135</sup> In August 2023 PURA imposed a 20 basis point

reduction on the company's return on equity for each year that UI does not comply with the partial consent order, amounting to an estimated fine of \$1.6 million per year.<sup>136</sup> Attorney General William Tong said of the ruling, "United Illuminating has utterly refused to meet its commitments to remediate English Station. United Illuminating can stop this annual penalty at any time by getting serious about their clear obligations under the law. And if a \$2 million annual penalty isn't enough to convince United Illuminating of their legal obligations, I will continue to do everything in my power to compel the company to clean-up English Station and honor their commitments to the New Haven community and the state of Connecticut."<sup>137</sup>

## TOP SHAREHOLDERS HAVE LARGE INVESTMENTS IN OIL, GAS AND COAL

When considering motivations, it is important to first consider major investors. Iberdrola is a publicly



English Station Power Plant. Source: *New Haven Independent*



“Avangrid/Iberdrola has supported **Sen. Luther Strange**, who has said, “Reasonable minds can disagree about the science behind global warming and disagree they do.”

traded company, but some shareholders have a larger stake than others.

Iberdrola's largest shareholder is the State of Qatar, with a nearly 9 percent stake.<sup>138</sup> The oil and gas sector in Qatar accounts for 70 percent of government revenues,<sup>139</sup> and one family controls all executive and legislative authority.<sup>140</sup> Qatar is described by Freedom House as “not free.” In one recent controversy, Qatar and FIFA's 2020 promise to make the 2022 FIFA World Cup, held in Doha, carbon neutral<sup>141</sup> was deemed by Swiss regulators in 2023 to be a false claim.<sup>142</sup> News articles suggest they didn't even try.<sup>143</sup>

The second largest shareholder in Iberdrola is BlackRock Inc., with a 5 percent stake.<sup>144</sup> BlackRock, the world's largest asset manager, is also significantly invested in fossil fuel extraction and carbon emissions. Critics argue that the company has done little to follow through on its commitment to invest in environmentally sustainable energy products.<sup>145</sup> A 2022 report by two dozen international NGOs found that BlackRock was the single largest institutional investor in the coal industry, with \$109 billion in share and bond holdings.<sup>146</sup>

Together these two companies with significant investments in the oil and gas sector control nearly 14 percent of the company's shares.<sup>147</sup>

## SUPPORTS CLIMATE-DENYING POLITICIANS

Avangrid/Iberdrola has consistently supported candidates for public office who deny human involvement in climate change. Through its political action committees, the company contributed hundreds of thousands of dollars

to politicians who have questioned climate science, supported fossil fuel extraction, opposed environmental regulation, and opposed the clean energy transition that Avangrid/Iberdrola claims to support. Below, we name just a few examples.

### Sen. Luther Strange (R-AL)

Avangrid contributed to Strange's Republican primary campaign for the U.S. Senate.<sup>148</sup> Strange has a 0 percent lifetime score from the League of Conservation Voters.<sup>149</sup> During his brief career in Congress, Strange voted against every piece of climate legislation that passed his desk.<sup>150</sup>

As Alabama attorney general, Strange defended ExxonMobil when other public officials sought to understand what it knew – and when – about the impacts of fossil fuels on climate change.<sup>151</sup> Strange has questioned the scientific consensus about the causes of climate change, saying, “Reasonable minds can disagree about the science behind global warming and disagree they do.”<sup>152</sup>

### Rep. Jodey Arrington (R-TX)

In August 2022, Avangrid contributed \$3,500 to Arrington one month before his office sent out a press release titled “We cannot afford to destroy the oil and gas industry for the sake of the left's radical climate narrative.”<sup>153</sup> Arrington has a 1 percent lifetime score from the League of Conservation Voters.<sup>154</sup> In 2019 Arrington voted against H.R. 9, the Climate Change Now Act, which he described as “legislation forcing the U.S. to re-enter flawed Paris climate deal.”<sup>155</sup> Six months later, Avangrid contributed \$1,000 to his reelection campaign.<sup>156</sup>

### Rep. Mac Thornberry (R-TX)

In June 2016, Avangrid contributed \$1,000 to Thornberry.<sup>157</sup> In 2017 Thornberry supported

the SENSE Act, permanently exempting power plants that burn coal waste from meeting certain clean air standards.<sup>158</sup> The following year, Avangrid contributed \$1,000 to his reelection campaign.<sup>159</sup> Thornberry has a 2 percent lifetime score from the League of Conservation Voters.<sup>160</sup> In 2011 Thornberry voted to reverse the Offshore Moratorium Act, opening the outer continental shelf of the United States to oil drilling, reversing an attempt by President Obama to protect it.<sup>161</sup>

#### **Rep. Ken Buck (R-CO)**

In June 2016, Buck pushed to eliminate Department of Defense funds earmarked for the agency's Climate Change Adaptation and Resilience directive, which he referred to as "a radical climate change agenda" that detracts from the "main purpose of defending America from enemies like ISIS."<sup>162</sup> Two years later, Avangrid contributed to his reelection campaign.<sup>163</sup> Buck has a 3 percent lifetime score from the League of Conservation Voters.<sup>164</sup>

#### **Rep. Kevin P. Brady (R-TX)**

Brady has a 3 percent lifetime score from the League of Conservation Voters.<sup>165</sup> In 2015 Brady voted for H.R. 2028, a bill that cut funding for renewable energy and energy efficiency while increasing funding for fossil fuel extraction.<sup>166</sup> In 2016 Brady voted to oppose restrictions on offshore drilling in the eastern Gulf of Mexico; the same year he supported a bill that would allow for drilling in the Arctic Ocean.<sup>167</sup> The following year, Avangrid donated \$2,500 to his reelection campaign.<sup>168</sup>

#### **Rep. Steve Scalise (R-LA)**

Avangrid/Iberdrola has donated at least \$12,000 to Scalise, the current House majority leader, a longtime climate denier.<sup>169</sup> In 2019 Scalise continued to question the science behind the human causes of climate change: Earth's temperature "goes up and down," he said during an interview with *CBS This Morning*.<sup>170</sup> Scalise



U.S. Representative Ken Buck. Source: *Colorado Public Radio*



has a 4 percent lifetime score from the League of Conservation Voters.<sup>171</sup>

### **Rep. Paul Gosar (R-AZ)**

In 2014 Gosar voted for a bill to bypass administrative processes and expedite approval of the Keystone XL tar sands pipeline.<sup>172</sup> In 2015 Gosar voted for a bill to block the EPA's carbon pollution standards for new and modified power plants.<sup>173</sup> The following year, Avangrid contributed to his reelection campaign.<sup>174</sup> Gosar has a 4 percent lifetime rating from the League of Conservation Voters.<sup>175</sup>

### **Rep. Jeff Duncan (R-SC)**

Thus far in 2023, Avangrid has contributed \$4,000 to Duncan's reelection campaign.<sup>176</sup> In 2015 Duncan said at a hearing that "the Earth's been warmer before ... before fossil fuels, the industrial revolution. And this notion that man-made climate change is happening is, I think, wrong."<sup>177</sup> In 2020 Duncan voted against a bill to increase funding for

renewable energy research and development.<sup>178</sup> In 2022 Duncan voted against a bill to increase consumer protections for low-income people with gas and oil heating systems.<sup>179</sup> He has a 4 percent lifetime score from the League of Conservation Voters.<sup>180</sup>

## **SUPPORTS GROUPS THAT OPPOSE CLIMATE SOLUTIONS**

### **Edison Electric Institute**

Since 2006 Avangrid has contributed \$55,000 to an organization called Power PAC of the Edison Electric Institute (EEI).<sup>181</sup> In August 2023 Reuters reported that EEI was planning to lobby against the Biden administration's plans to require existing natural gas-fired power plants to make technical upgrades and curb climate-warming emissions. According to the report, EEI lobbying may be decisive, undermining the "plan to decarbonize the country's power sector by 2035 – a critical pillar



U.S. Senator Luther Strange. Source: *Wikimedia Commons*

of [President Biden's] climate change agenda.”<sup>182</sup> Operating since 1933, the EEI characterizes itself as representing “all U.S. investor-owned electric companies” and has been identified as the largest and most influential lobbying group for utilities.<sup>183</sup>

### **American Gas Association**

Since 2006 Avangrid has contributed \$46,000 to GASPAC, the political action committee of the American Gas Association (AGA),<sup>184</sup> which has lobbied against a clean energy transition. Founded in 1918, the AGA is the largest gas trade association and represents more than 200 companies across the country.<sup>185</sup> The AGA has created pro-gas groups that appear to have local grassroots support. With names like the Empowerment Alliance<sup>186</sup> and Partnership for Energy Progress,<sup>187</sup> these groups seek to change public debate around decarbonization in favor of gas as a solution, in the financial interests of their members.

### **American Clean Power Association**

Since 2021, Avangrid has contributed \$15,000 to the American Clean Power Association (ACP).<sup>188</sup> This group formed in January 2021, and its board includes representatives from BP and Shell, as well as a representative from Avangrid Renewables.<sup>189</sup> While it sounds like an organization that advocates a green transition, the ACP has staked out a position that supports “all of the above” energy products, including fossil fuels and natural gas.<sup>190</sup> According to reporting by *Inside Climate News*, a 2023 ACP proposal for the spending of funds from the Inflation Recovery Act would “allow a large portion of more than \$100 billion in tax credits in the program to flow to natural gas interests.” Further, ACP has championed a controversial hydrogen program that could generate high carbon emissions.<sup>191</sup>





# CONCLUSION

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If Avangrid/Iberdrola brings these longstanding practices to New Mexico – increased rates, dysfunctional service and aggressive collection tactics, as well as its problematic practices in the renewables realm – they are likely to lead to a flood of complaints from the company’s ratepayers, as they have in other regions, straining the capacity of the state’s Public Regulation Commission (PRC). A complaint filed against Avangrid by Maine ratepayers in 2018, dismissed in 2022 for unknown reasons, detailed Iberdrola’s desire for “one platform” and a “global model” for its accounting software program.<sup>192</sup> Given that the company’s billing system is blamed for so many of these problems in multiple locations, the prospect of a single platform suggests that problems in new locations – like New Mexico – could follow.

Avangrid/Iberdrola’s complicated corporate structure and international leadership will also pose a significant regulatory challenge. The issue has already arisen in the company’s dealings with New Mexico to date. In 2021, Jeff Albright, an Albuquerque attorney representing Bernalillo County, told the press that he found dealing with Avangrid/Iberdrola perplexing. There are so many affiliates and subsidiaries associated with the organization, he said, that it’s “sometimes difficult to unravel what’s going on.”<sup>193</sup>

Officials in other states have complained about Avangrid’s dealings with regulators. In New York,

state legislators wrote in a letter to the governor in 2023:<sup>194</sup>

Department of Public Service staff experts did review the NYSEG and RG&E rate filings, and as documented in public records, testified to the many deficiencies and errors contained in them. Staff further testified that the Companies have been vague and non-responsive to their requests for information. Additionally, staff testified that this is the second successive rate filing in which these issues have occurred, and that similar problems were noted in a 2016 management audit as well and they feared similar deficiencies could arise in future filings.

This is an environment in which it will be difficult for the PRC to find solutions. Many investigations have been launched into Avangrid/Iberdrola in the U.S. and Iberdrola/Scottish Power in the U.K., with varying results. Whatever the outcome, however, these investigations take up copious public resources.

If Avangrid were to enter the state, New Mexican ratepayers might find themselves echoing a mother in a modest apartment in the U.K. when she complained to a local news reporter in February 2023, after moving into an Iberdrola/Scottish Power-controlled unit: “No one told us it was actually going to be four or even five times what we had been paying before for almost exactly the same house.”<sup>195</sup>

# NOTES

1 “Who are the highest-paid CEOs in the utility sector?” *Power Technology*, April 17, 2020. Seeking Alpha, “IBDRY – Iberdrola, S.A.,” <https://seekingalpha.com/symbol/IBDRY/income-statement>. Net income is used for “profit.”

2 Avangrid Inc. is a subsidiary of Iberdrola S.A., which owns an 81.6 percent stake, acquired in 2008. Eight U.S. utilities, all operating under individual names (such as Central Maine Power and Southern Connecticut Gas), are wholly owned subsidiaries of Avangrid. In this report we use the term “Avangrid/Iberdrola” when referring to behavior that spans Iberdrola’s operations in the U.S.; we use “Iberdrola/Scottish Power” when referring to behavior that spans Iberdrola’s operations in the U.K. Avangrid Inc. 2022 Form 10-K. <https://d18rn0p25nwr6d.cloudfront.net/CIK-0001634997/d8735fa8-246c-4c78-aa68-bce251391a12.pdf>

3 In addition to jobs, improved energy infrastructure and “affordable and reliable service to PNM customers for years to come,” these promises include a boost in renewable energy development, rate credits, economic developments funds, funding for scholarship programs and apprentice programs. “New Mexico regulators deny Avangrid bid for PNM resources,” Reuters, December 9, 2021; Susan Montoya Bryan, “Energy giant promises more perks in New Mexico utility case,” Associated Press, August 11, 2021; Susan Montoya Bryan, “New Mexico regulators reject proposed utility merger,” Associated Press, December 8, 2021.

4 Many of the actions against the company are still being litigated and investigated. Some investigators have found wrongdoing by the company; others have made findings in the company’s favor. A full review of all lawsuits and regulatory matters is not within the scope of this report, as there are many. The authors of this report include claims made by ratepayers and regulators for informational purposes only and encourage further documentation of all claims made against Avangrid/Iberdrola and their outcomes.

5 Dan Lampariello and Ariana St. Pierre, “CMP ranks last among large utilities in nationwide customer satisfaction survey,” *WGME 31*, December 14, 2022.

6 This figure represents the sum of all base rate (aka base revenue) increases requested by Avangrid utility companies in rate cases they filed in 2022 (docket numbers in parentheses): the Berkshire Gas Company requested an increase of \$10.7 million (22-20); Central Maine Power requested an increase of \$98.8 million (2022-00152); United Illuminating Company requested an increase of \$131 million (22-08-08); New York State Electric & Gas requested an increase of \$274 million in electric revenues (22-E-0317) plus \$43.4 million in gas revenues (22-G-0318); Rochester Gas and Electric requested an increase of \$93.8 million in electric revenues (22-

E-0319) plus \$37.7 million in gas revenues (22-G-0320). Taken together, these base revenue requests total \$689.4 million.

7 Connor Gillies, “Scottish Power probe into claims of ‘aggressive’ energy debt tactics,” *BBC*, December 18, 2021.

8 Dave Anderson, “How Central Maine Power killed a popular pro-rooftop solar bill,” Energy and Policy Institute, August 21, 2017; Tux Turkel, “Maine lawmakers pull plug on bill to maintain solar incentives,” *Portland Press Herald*, August 3, 2017.

9 Energy and Policy Institute, “New Yorkers for Affordable Energy,” <https://energyandpolicy.org/new-yorkers-for-affordable-energy/>.

10 Nora Grace-Flood, “English Station mess put back in spotlight,” *New Haven Independent*, May 3, 2023.

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