

TESTIMONY IN OPPOSITION TO HB 610

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I think Donald Kreis is doing an excellent job and works well with industry as well as its "victims." But my main concern about the bill isn't its obvious personal punitive animus, but its DISHONESTY:

As I read it, the bill doesn't "abolish" the OCA, but pretends that it can function properly if re-housed from *within* the Dept of Energy.

As a former federal regulator (OSHA and EPA; appointee in both Democratic and Republican administrations), and a scholar of regulatory process and law, this is (technical term) "nuts" and one of the oldest tricks in the book.

It is a rare agency that can successfully navigate between the industry it regulates and the citizens it protects, but this job becomes much harder if it pretends that agency employees can serve as "ombudsmen." Most successful agencies use **independent** offices, boards, panels, etc., to fulfill this function.

I know relatively little about NH DOE, but if the Dept of Environmental Services was to appoint and oversee a "consumer advocate" within its walls, I'd run away at top speed. Agencies have a way of being "captured" by the regulated community, and if DOE is anything like DES in this regard, the last thing it needs (the last thing NH ratepayers need!) is to take over for OCA.

Thank you as always for the opportunity to comment.



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