



Office of  
The Governor

NO. 5 FY 25/26  
DATE April 29, 2026

**An Order Establishing the  
Maine Data Center Advisory Council**

**WHEREAS**, data centers are becoming a key component of the global economy;

**WHEREAS**, the rapid expansion of data centers across the United States is a significant and growing driver of energy demand and usage;

**WHEREAS**, forecasts indicate that New England and Maine will experience limited large-scale development relative to other regions, even as interest in siting such facilities continues to grow;

**WHEREAS**, New England and Maine are already anticipating substantial underlying electricity demand growth through 2050 due to electrification and other system changes;

**WHEREAS**, public support in Maine exists for the redevelopment of former industrial sites, which may include data center use, reflecting opportunities to bolster local economic development, create jobs, and strengthen municipal tax bases;

**WHEREAS**, significant questions in Maine exist about how data centers may affect the environment, public infrastructure, or natural resources, which has prompted some communities to advance temporary pauses on data center development to assess these impacts;

**WHEREAS**, data center development presents an opportunity to grow the State's economy and support good jobs and improve public services, while also raising concerns related to energy costs, grid reliability, greenhouse gas emissions, siting, water usage, and natural resource management;

**WHEREAS**, while data centers and other large electricity consumers are subject to existing interconnection, utility service, and state environmental permitting processes, their scale and operating characteristics may present unique implications for infrastructure planning, cost allocation, and system reliability;

**WHEREAS**, the State must take steps to minimize potential risks of data center projects without precluding or delaying responsible ongoing local efforts and development activities;

**NOW THEREFORE**, I, Janet T. Mills, Governor of the State of Maine, pursuant to authority conferred by Me. Const. Art. V, Pt. 1, §§ 1 & 12, do hereby Order the following:

## **A. Ratepayer Protection; Immediate Agency Actions**

1. The Department of Energy Resources shall coordinate with the Public Utilities Commission to identify and implement strategies as soon as possible to protect ratepayers from new or increased energy costs resulting from data center development to the extent permissible under law. These strategies should be designed to:

- i. Safeguard customers against increased energy supply costs, including the risks associated with overbuilding new generation;
- ii. Safeguard customers against increased transmission and distribution costs, including by mitigating the risk of stranded utility assets; and
- iii. Promote the development of market and regulatory mechanisms to ensure that costs attributable to data center development are fully borne by the entities responsible for creating those costs.

## **B. Advisory Council Established; Purpose**

1. The Maine Data Center Advisory Council (“The Council”) is hereby established;

2. The purpose of the Council is to provide strategic input, facilitate coordinated state planning considerations and evaluate policy tools to address large-scale data center opportunities and related benefits and risks to the State;

3. The Council shall evaluate issues related to large-scale data centers located or proposed to be located in the State, with the goals of protecting ratepayers, maintaining electric grid reliability, minimizing environmental impacts and enabling responsible and appropriately sited economic development;

4. In conducting its evaluation, the Council shall consider the State's policy goals related to renewable energy set forth in Title 35-A, section 3210; greenhouse gas reduction objectives, set forth in Title 38, section 576-A; goals for broadband service established set forth in Title 35-A, section 9202-A; the state economic development strategy, and the legislative findings set forth in Title 38, section 480-A;

5. The Council shall submit a final strategy report with the findings of its evaluation and any recommendations, including any proposed legislation, to the Governor and the Legislature.

## **C. Membership, Chairs**

The Council shall consist of the following members:

1. The Commissioner of the Department of Energy Resources or the Commissioner’s designee, who shall serve as Co-Chair;

2. The Commissioner of the Department of Environmental Protection or the Commissioner's designee, who shall serve as Co-Chair
3. The Commissioner of the Department of Economic and Community Development or the Commissioner's designee;
4. The Director of the Governor's Office of Policy Innovation and the Future or the Director's designee;
5. The Chair of the Public Utilities Commission or the Chair's designee;
6. The Public Advocate or the Public Advocate's designee;
7. The President of the Maine Connectivity Authority or the President's designee;

The Co-Chairs shall invite the participation of the following additional members:

8. A representative of the Maine Municipal Association;
9. A representative of the Wabanaki Alliance;
10. A representative from Central Maine Power and Versant;
11. A representative of the interests of cooperative and municipally-owned utilities in the state;
12. A representative of an environmental advocacy organization;
13. A representative of a labor organization;
14. A representative of an institution of higher education;
15. A representative of at least two private-sector entities that represent large electricity load customers, data center developers, or real estate developers.

The Co-Chairs may, at their discretion, invite additional agencies, experts, or stakeholders to inform the work of the Council.

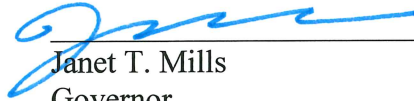
#### **D. Proceedings, Records, and Report**

1. The Co-Chairs will preside at, set the agenda for, and schedule Council meetings. To the extent practical the Council should conduct its work in a manner that is open and accessible to the public. Records, proceedings and deliberations of the Council are not subject to the requirements of 1 M.R.S. c. 13, in accordance with sections 402(2)(F), (3)(J) and § 403(6) of that Chapter. The Council may conduct its work through subcommittees, which may include non-Council members in advisory roles.

2. The Council shall issue a public report of its findings to the Governor and the Legislature no later than January 29th, 2027.

3. The Council is dissolved 30 days after the submission of the public report of its findings, unless the Governor extends the Council's activities.

Date: April 29, 2026

  
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Janet T. Mills  
Governor