

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 20-0789-INV

Vermont Public Utility Commission orders and memoranda issued in response to COVID-19 pandemic	
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Order entered: 04/17/2020

**ORDER CLARIFYING ORDER RE CERTIFICATES OF PUBLIC GOOD AND
GOVERNOR’S EMERGENCY DECLARATION**

On April 16, 2020, we issued an Order to inform Certificate of Public Good (“CPG”) holders that their CPGs do not allow them to take action that “is in violation of any applicable Executive Order or addenda or agency guidance issued in response to such orders or addenda.”¹ In today’s Order, we clarify that our April 16, 2020, Order does not require that the Commission specifically designate a particular project as critical infrastructure for that project to continue construction. Our April 16, 2020, Order simply explained that the Governor’s Executive Order controls whether construction can proceed on projects that have a CPG.

The April 16, 2020, Order specifically recognized that the Governor’s Executive Order allows the continuation of “in-person business activity for ‘[b]usinesses and entities providing services or functions deemed critical to public health and safety, as well as economic and national security.’”² We further noted that the list of critical services or functions included “utilities and telecommunications infrastructure, and construction necessary to maintain that infrastructure.”³ Thus, for instance, nothing in our April 16, 2020, Order would prohibit the buildout of broadband infrastructure that has obtained all required approvals. We further noted that if anyone has “any questions about whether activities covered by your CPG are prohibited by the Executive Order and Addendum 6, please review ACCD’s Sector Specific Guidance.”⁴

SO ORDERED.

¹ *Order Re Certificates of Public Good and Governor’s Emergency Declaration*, Case 20-0789-INV, Order of 4/16/2020 at 1; *see also* EO 01-20, March 13, 2020, available at <https://governor.vermont.gov/content/declaration-state-emergency-response-covid-19-and-national-guard-call-out-eo-01-20>.

² Order of 4/16/2020 at 2 (quoting EO 01-20 at Section 5).

³ Order of 4/16/2020 at 2 (quoting EO 01-20 at Section 6.d. and e).

⁴ Order of 4/16/2020 at 3; *see* <https://accd.vermont.gov/covid-19/business/stay-home-stay-safe-business-faqs>.

