

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 20-3743-PET

Petition of City of Burlington Electric Department for exemption from standard offer purchases pursuant to 30 V.S.A. § 8005a(k)(2)(B)	
---	--

Order entered: 01/26/2021

**ORDER GRANTING EXEMPTION**

In this Order, the Vermont Public Utility Commission (“Commission”) adopts the following proposal for decision.

**PROPOSAL FOR DECISION**

On December 10, 2020, the City of Burlington Electric Department (“BED”) filed a petition for an exemption from purchases under the standard-offer program pursuant to 30 V.S.A. § 8005a(k)(2)(B). Based on the findings below, I recommend that the Commission find that BED satisfies the requirements of Section 8005a(k)(2)(B) and grant BED an exemption from purchases during calendar year 2020.

**I. PROCEDURAL HISTORY**

BED filed its petition on December 10, 2020.

On January 8, 2021, the Vermont Department of Public Service (“Department”) filed comments on BED’s petition recommending that the exemption be granted.

No other comments were received.

No party has requested an evidentiary hearing or objected to the petition and exhibits. Accordingly, the following documents are admitted as if presented at a hearing: the petition (filed 12/10/20); exhibit 1 (filed 12/10/20).

**II. DISCUSSION AND CONCLUSION**

Pursuant to 30 V.S.A. § 8005a(k)(2)(B):

A retail electricity provider that was relieved from the requirements of this subdivision by the Commission on or before January 25, 2018, shall be exempt from the requirements of this subdivision in any year that the Standard Offer

Facilitator allocates electricity pursuant to this subdivision if the retail electricity provider meets the following criteria:

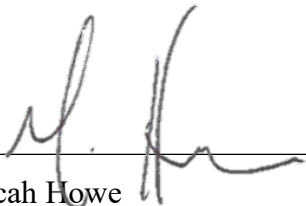
- (i) during the immediately preceding 12-month period ending October 31, the amount of renewable energy supplied to the provider by generation owned by or under contract to the provider, regardless of whether the provider owned the energy's environmental attributes, was not less than the amount of energy sold by the provider to its retail customers; and
- (ii) the retail electricity provider owns and retires an amount of 30 V.S.A. § 8005(a)(1) qualified energy environmental attributes that is not less than the provider's retail sales.

Based on the information provided by BED in its petition and exhibit 1, I present the following proposed findings for the Commission's consideration:

- 1. BED is a retail electricity provider that was relieved from the requirements of 30 V.S.A. § 8005a(k)(2) by the Commission on or before January 25, 2018. Petition at 1.
- 2. BED's retail energy sales were less than the amount of renewable energy under BED's ownership for the one-year period ending October 31, 2020. Petition at 1-2; exh. 1.
- 3. BED owns and retires qualified energy environmental attributes in an amount that is not less than BED's retail sales. Petition at 2.

Based on the above findings, I recommend that the Commission find that BED satisfies the requirements of Section 8005a(k)(2)(B) and grant BED an exemption from purchases during calendar year 2021.

This Proposal for Decision has not been circulated to the parties pursuant to 3 V.S.A. § 811 because it is not adverse to any party.


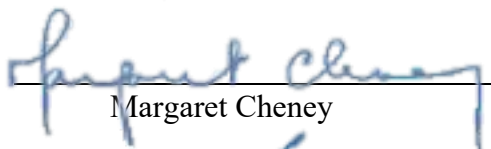
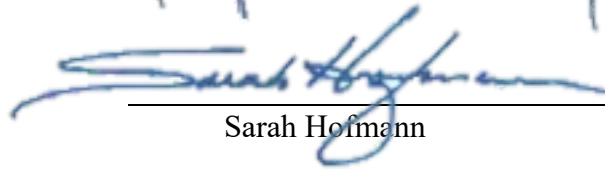
  
\_\_\_\_\_  
Micah Howe  
Hearing Officer

**ORDER**

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Utility Commission (“Commission”) of the State of Vermont that:

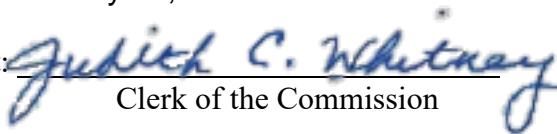
1. The findings, conclusions, and recommendations of the Hearing Officer are hereby adopted.
2. The City of Burlington Electric Department shall be exempt and wholly relieved from the requirement under 30 V.S.A. § 8005a(k)(2) to accept and pay for its *pro rata* share of electricity purchased by the Standard Offer Facilitator during calendar year 2021.
3. This case is closed.

Dated at Montpelier, Vermont, this 26th day of January, 2021.

 _____ Anthony Z. Roisman	)	
	)	PUBLIC UTILITY
	)	
 _____ Margaret Cheney	)	COMMISSION
	)	
 _____ Sarah Hofmann	)	OF VERMONT

OFFICE OF THE CLERK

Filed: January 26, 2021

Attest:   
Clerk of the Commission

*Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: [puc.clerk@vermont.gov](mailto:puc.clerk@vermont.gov))*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Commission within 30 days. Appeal will not stay the effect of this Order, absent further order by this Commission or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of this decision and Order.*

PUC Case No. 20-3743-PET - SERVICE LIST

Parties:

Eric B. Guzman  
Vermont Department of Public Service  
112 State Street  
Montpelier, VT 05620  
eric.guzman@vermont.gov

(for Vermont  
Department of Public  
Service)

James Gibbons  
City of Burlington Electric Department  
585 Pine Street  
Burlington, VT 05401  
jgibbons@burlingtonelectric.com

(for City of Burlington  
Electric Department)

Participants:

Carolyn M.X. Alderman, Esq.  
VEPP Inc.  
P.O. Box 1938  
Manchester Center, VT 05255  
carolyn@veppi.org

(for VEPP Inc.)

Carolyn Browne Anderson, Esq.  
Green Mountain Power Corporation  
2152 Post Road  
Rutland, VT 05702  
carolyn.anderson@greenmountainpower.com

(for Green Mountain  
Power Corporation)

Reginald Beliveau, Jr.  
Swanton Village, Inc. Electric Department  
P.O. Box 279  
120 First Street  
Swanton, VT 05488  
rbeliveau@swanton.net

(for Swanton Village,  
Inc. Electric Department)

Meredith Birkett  
Village of Johnson Water & Light Department  
P.O. Box 603  
Johnson, VT 05656  
vojmanager@townofjohnson.com

(for Village of Johnson  
Water & Light  
Department)

Victoria J. Brown, Esq.  
Vermont Electric Cooperative, Inc.

(for Vermont Electric  
Cooperative Inc.)

42 Wescom Road  
Johnson, VT 05656  
vbrown@vermontelectric.coop

Ellen Burt  
Town of Stowe Electric Department  
P.O.Box 190  
Stowe, VT 05672  
eburt@stoweelectric.com

(for Town of Stowe  
Electric Department)

Jonathan Elwell  
Village of Enosburg Falls Water & Light  
42 Village Drive  
Enosburg Falls, VT 05450  
jelwell@enosburg.net

(for Village of Enosburg  
Falls Water & Light  
Department Inc.)

Elijah D Emerson, Esq.  
Primmer Piper Eggleston & Cramer PC  
PO Box 1309  
Montpelier, VT 05601  
eemerson@primmer.com

(for Town of Northfield  
Electric Department)  
(for Town of Hardwick  
Electric Department)  
(for Village of Enosburg  
Falls Water & Light  
Department Inc.) (for  
Village of Johnson Water  
& Light Department)  
(for Vermont Public  
Power Supply Authority)

Steven R Farman  
Vermont Public Power Supply Authority  
5195 Waterbury-Stowe rd  
Waterbury Center, VT 05766  
sfarman@vppsa.com

Michael J. Hall  
Stackpole & French Law Offices  
PO Box 819  
Stowe, VT 05672  
mhall@stackpolefrench.com

(for Town of Stowe  
Electric Department)

Bill Humphrey  
Village of Lyndonville Electric Department  
P.O. Box 167  
20 Park Avenue  
Lyndonville, VT 05851  
bhumphrey@lyndonvilleelectric.com

(for Village of  
Lyndonville Electric  
Department)

Penny Jones

(for Village of

Village of Morrisville Water & Light Department  
857 Elmore Street  
Morrisville, VT 05661  
pjones@mwlvt.com

(Morrisville Water &  
Light Department)

Katelyn Kran  
Barton Village Inc. Electric Department  
kkran@bartonvt.com

(for Barton Village Inc.  
Electric Department)

Michael Lazorchak  
Town of Stowe Electric Department  
PO Box 190  
Stowe, VT 05672  
mlazorchak@stowelectric.com

(for Town of Stowe  
Electric Department)

Mari McClure  
Green Mountain Power Corporation  
163 Acorn Lane  
Colchester, VT 05446  
ceo@greenmountainpower.com

(for Green Mountain  
Power Corporation)

Joseph McKearin  
Green Mountain Power Corporation  
2152 Post Road  
Rutland, VT 05701  
Joseph.McKearin@greenmountainpower.com

(for Green Mountain  
Power Corporation)

Pamela Moore  
Village of Jacksonville Electric Company  
P.O. Box 169  
Jacksonville, VT 05342  
pmoore@jacksonvilleelectric.net

(for Village of  
Jacksonville Electric  
Company)

Ken Nolan  
Vermont Public Power Supply Authority  
P.O. Box 126  
Waterbury Center, VT 05677  
knolan@vppsa.com

(for Vermont Public  
Power Supply Authority)

Jessica Patterson  
Town of Hardwick Electric Department  
PO Box 516  
Hardwick, VT 05843  
jess@hardwickelectric.com

(for Town of Hardwick  
Electric Department)

Thomas Petraska

(for Village of Ludlow)

Village of Ludlow Electric Light Department  
9 Pond Street  
Ludlow, VT 05149  
tpetraska@tds.net

Electric Light  
Department)

Patricia Richards  
Washington Electric Cooperative, Inc.  
P.O. Box 8  
East Montpelier, VT 05651  
patty.richards@wec.coop

(for Washington Electric  
Cooperative Inc.)

Carol Robertson  
Village of Hyde Park Electric Department  
P.O. Box 400  
Hyde Park, VT 05655  
carol.robertson@hydeparkvt.com

(for Village of Hyde  
Park Electric  
Department)

Jeffrey Schulz  
Town of Northfield Electric Department  
51 South Main Street  
Northfield, VT 05663  
jschulz@northfield.vt.us

(for Town of Northfield  
Electric Department)

Ronald A. Shems, Esq.  
Tarrant, Gillies, Richardson & Shems  
P.O. Box 1440  
Montpelier, VT 05601-1440  
rshems@tarrantgillies.com

(for Washington Electric  
Cooperative Inc.)

Michael Sullivan  
Town of Hardwick Electric Department  
P.O. Box 516  
Hardwick, VT 05843  
msullivan@hardwickelectric.com

(for Town of Hardwick  
Electric Department)

Rebecca Towne  
Vermont Electric Cooperative, Inc.  
42 Wescom Road  
Johnson, VT 05656  
rtowne@vermontelectric.coop

(for Vermont Electric  
Cooperative Inc.)

Village of Orleans Electric Department  
Municipal Building  
One Memorial Square  
Orleans, VT 05860



Meghan von Ballmoos  
VEPP, Inc.  
PO Box 1938  
Manchester Center, VT 05255  
meghan@veppi.org

(for VEPP Inc.)