

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 21-1500-PET

Petition of the Vermont Department of Public Service for a proceeding to conduct overall performance assessments for the Energy Efficiency Utilities	
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Order entered: 05/28/2021

SCHEDULING ORDER AND REQUEST FOR PUBLIC COMMENTS

On April 21, 2021, the Vermont Department of Public Service (“Department”) filed a petition with the Vermont Public Utility Commission (“Commission”) requesting a proceeding to conduct overall performance assessments for the Energy Efficiency Utilities (“EEUs”).

Pursuant to 30 V.S.A. § 209(d)(2) and the Process and Administration of an Energy Efficiency Utility Order of Appointment document, an overall performance assessment (“OPA”) shall be conducted no less frequently than every six years to determine whether probable net benefits would result from additional proceedings considering alternate implementation entities other than the incumbent EEU(s).

The Commission has appointed three entities to serve as EEUs: Vermont Energy Investment Corporation (“VEIC”) operating as Efficiency Vermont, the City of Burlington Electric Department (“BED”), and Vermont Gas Systems, Inc. (“VGS”).

Schedule

On May 10, 2021, I held a scheduling conference in this matter with representatives of the Department, BED, VGS, and Efficiency Vermont.

At the scheduling conference, the parties discussed a schedule proposed by the Department in its petition. The parties also discussed whether the OPAs for each EEU should be conducted in separate cases.

Based on discussions at the scheduling conference, the Department filed a revised schedule that included a timeline for intervention motions. The schedule includes staggered processes for BED, Efficiency Vermont, and VGS. The Department also recommended that the OPAs for each EEU be conducted in one case. The Department represented that BED, Efficiency Vermont, and VGS support the schedule.

I adopt the proposed schedule with modifications, including allowing additional time for motions to intervene, extending the deadline past the time when customers will likely receive notice of the proceeding through bill inserts. In addition, the schedule includes time to allow the Commission to issue information requests.

July 16, 2021	Deadline for notices or motions to intervene
July 23, 2021	Deadline for responses to motions to intervene
July 28, 2021	Deadline for Department to file performance assessment report
July 29, 2021	Discovery starts on performance assessment report (with 14-day response)
August 5, 2021	Deadline for discovery on Department
August 12, 2021	Deadline for discovery responses
BED OPA Process	
August 25, 2021	Deadline for BED testimony
August 26, 2021	Discovery starts on BED testimony (with 14-day response)
September 2, 2021	Deadline for discovery on BED
September 9, 2021	Deadline for discovery responses
September 29, 2021	Deadline for rebuttal testimony by Department and other parties
September 30, 2021	Discovery starts on rebuttal testimony (with 14-day response)
October 7, 2021	Deadline for discovery on rebuttal testimony
October 14, 2021	Deadline for discovery responses on rebuttal testimony
October 15, 2021	Deadline for Commission to issue information requests (if any)
October 19, 2021	Deadline for parties to file requests for further process or evidentiary hearing
October 22, 2021	Deadline for Commission to notice hearing
November 4, 2021	Tentative date for evidentiary hearing (if needed)

November 23, 2021	Deadline for briefs
December 7, 2021	Deadline for reply briefs
Efficiency Vermont OPA Process	
August 5, 2021	Deadline for Efficiency Vermont to file proposed schedule
September 22, 2021	Estimated deadline for Efficiency Vermont testimony
VGS OPA Process	
September 23, 2021	Deadline for VGS to file proposed schedule
October 27, 2021	Estimated deadline for VGS to file testimony

Intervention Process

As directly affected entities in this proceeding, the Department, BED, Efficiency Vermont, and VGS are granted party status in this proceeding.

If the Vermont Public Power Supply Authority or any of the Vermont electric utilities wish to have party status, they will be granted party status after filing a notice of intervention and appearance no later than the deadline in the schedule for notice or motions to intervene.¹

If any other person or entity would like to participate in this case as a party, they should file a motion to intervene by the deadline in the schedule for motions to intervene.

Request for Public Comments

The Commission requests comments from the public on the performance of BED, Efficiency Vermont, and VGS. While public comments do not become a part of the evidentiary record, such comments may raise new issues that should be considered by the Commission during the proceeding. Accordingly, although public comments on the performance of the EEUs may be filed at any time, it would be helpful to the Commission if such comments were filed by October 15, 2021, to ensure that the Commission has an adequate opportunity to consider these public comments prior to any evidentiary hearings.

¹ To the extent that Commission Rule 2.209 may be applicable in this case, I find good cause to waive it here and allow intervention by notice without the need to file a motion.

Public comments may be submitted through the Commission’s electronic filing system by going to Case No. 21-1500-PET at <https://epuc.vermont.gov/>. Public comments may also be submitted to the Clerk of the Commission by email to: puc.clerk@vermont.gov or in writing by letter addressed to the Vermont Public Utility Commission, 112 State Street, Montpelier, Vermont 05620-2701.

Customer Notice

The Department has developed a customer notice and request for comments to be included in bill inserts. I approved as follows the proposed customer notice, with minor modifications to the language on the intervention deadline and the filing of comments in ePUC.

Public Comments Sought on [EEU] Energy Efficiency Services

On April 21, 2021, the Vermont Department of Public Service (“Department”) filed a petition with the Vermont Public Utility Commission requesting that the Commission open a proceeding to conduct Overall Performance Assessments (“OPA”) of the State’s three Energy Efficiency Utilities (“EEUs”) – Burlington Electric Department (“BED”), Efficiency Vermont, and Vermont Gas Systems (“VGS”) – currently appointed by the Commission to provide energy efficiency services. A copy of that petition can be found on the Commission’s electronic filing system under Case No. 21-1500-PET (<https://epuc.vermont.gov/>).

In connection with the Department’s request, State utility regulators are interested in your comments about the performance of [EEU] as a provider of energy efficiency services.

The Commission and the Department are reviewing [EEU’s] performance as an EEU as a routine part of the their oversight of the State’s Energy Efficiency Utilities. The purpose of this review is to determine if [EEU] has performed as expected with respect to the delivery of energy efficiency services and, if not, whether the Commission should consider appointing a different entity to provide these services. Customer input is an important part of this review process.

If you would like to provide comments, please submit them in writing via the Commission’s electronic filing system by going to Case No. 20-1500-PET at <https://epuc.vermont.gov/>. Written comments may also be submitted via email to puc.clerk@vermont.gov or by mail to the Vermont Public Utility Commission, 112 State Street, Montpelier VT 05620-2701. Please reference Case No. 21-1500-PET in your comments. Interested entities and individuals may also seek to intervene in the proceeding by filing a Motion to Intervene prior to July 16, 2021.

More information about the Commission’s review is available on the Commission’s website at: <https://puc.vermont.gov/energy-efficiency-utility-program>.

SO ORDERED.

Dated at Montpelier, Vermont, this 28th day of May, 2021.

Mary Jo Krolewski

Mary Jo Krolewski
Hearing Officer

OFFICE OF THE CLERK

Filed: **May 28, 2021**

Attest: *Pamela Lenahan*
Deputy 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)

PUC Case No. 21-1500-PET - SERVICE LIST

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Other Entities Receiving Notice: (outside ePUC)

Vermont Public Power Supply Authority

Other Vermont electric utilities