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H.96

Introduced by Representatives Poirier of Barre City and Davis of Washington

Referred to Committee on

Date:

Subject: Utilities; regulation; propane; Department of Public Service; Public
Service Board

Statement of purpose of bill as introduced: This bill proposes to place the
retail liquefied petroleum gas (propane) industry under the jurisdiction of the
Public Service Board and the Department of Public Service.

An act relating to state regulation of the retail propane industry

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 30 V.S.A. § 2 is amended to read:

§ 2. DEPARTMENT OF PUBLIC SERVICE; POWERS

(a) ~~The department of public service~~ Department of Public Service shall
supervise and direct the execution of all laws relating to public service
corporations and firms and individuals engaged in such business, including the:

(1) ~~Formation~~ formation, organization, ownership, and acquisition of
facilities of public service corporations under chapter 3 of this title;

1 (2) ~~Participation~~ participation in planning for proper utility service as
2 provided in section 202 of this title through the ~~director~~ Director for regulated
3 utility planning;

4 (3) ~~Supervision~~ supervision and evaluation under chapters 5 and 77 of
5 this title of the quality of service of public utility companies;

6 (4) ~~Interconnection~~ interconnection and interchange of facilities of
7 electric companies under sections 210, 213, and 214 of this title;

8 (5) ~~Representation~~ representation of the state in the negotiations and
9 proceedings for the procurement of electric energy from any source outside of
10 this state and from any generation facility inside the state under sections 211
11 and 212 of this title;

12 (6) ~~Review~~ review of proposed changes in rate schedules and petition to
13 the ~~public service board~~ Public Service Board, and representation of the
14 interests of the consuming public in proceedings to change rate schedules of
15 public service companies under chapter 5 of this title;

16 (7) ~~Siting~~ siting of electric generation and transmission facilities under
17 section 248 of this title;

18 (8) ~~Consolidations~~ consolidations and mergers of public service
19 corporations under chapter 7 of this title;

20 (9) ~~Supervision~~ supervision and regulation of cable television systems
21 under chapter 13 of this title;

1 requires, examine the plants, equipment, lines, exchanges, stations, and
2 property of the companies subject to their jurisdiction under this chapter.

3 (1) A company engaged in the manufacture, transmission, distribution,
4 or sale of gas or electricity directly to the public or to be used ultimately by the
5 public for lighting, heating, or power and so far as relates to their use or
6 occupancy of the public highways;

7 (2) That part of the business of a company which consists of the
8 manufacture, transmission, distribution, or sale of gas, or electricity directly to
9 the public or to be used ultimately by the public for lighting, heating, or power
10 and so far as relates to their use or occupancy of the public highways;

11 (3) A company other than a municipality or a water system exempted
12 under the provisions of ~~section 10 V.S.A. § 1675a of Title 10~~ engaged in the
13 collecting, sale, and distribution of water for domestic, industrial, business, or
14 fire protection purposes;

15 (4) A company engaged in the construction and maintenance of dams
16 and storage reservoirs whether for the purpose of prevention of damage by
17 flood, or for the purpose of power to be developed, or for the benefit of
18 waterpower, developed or undeveloped, so situated as to be affected by such
19 reservoirs and dams;

20 (5) A person or company offering telecommunications service to the
21 public on a common carrier basis. "Telecommunications service" means the

1 transmission of any interactive two-way electromagnetic communications,
2 including voice, image, data, and information. Transmission of
3 electromagnetic communications includes the use of any media such as wires,
4 cables, television cables, microwaves, radio waves, light waves, or any
5 combination of those or similar media. Telecommunications service does not
6 include ~~value-added~~ value-added nonvoice services in which computer
7 processing applications are used to act on the form, content, code, and protocol
8 of the information to be transmitted unless those services are provided under
9 tariff approved by the ~~public service board~~; Public Service Board.

10 (6) A company or that part of a company, other than a municipality,
11 which has obtained a direct or indirect discharge permit issued by the ~~agency~~
12 ~~of natural resources~~ Agency of Natural Resources and is engaged in the
13 collection or disposal of wastewater or domestic sewage or any combination of
14 these activities, except companies solely involved in the hauling of septage or
15 sludge. This subdivision shall only apply to companies which, together with
16 any affiliates, service 750 or more household or dwelling units.

17 (7) A company engaged in the retail sale and distribution of liquefied
18 petroleum gas (propane).

1 Sec. 3. IMPLEMENTATION

2 The Public Service Board, consistent with its authority under Title 30 of the
3 Vermont Statutes Annotated, shall adopt rules governing the organization and
4 operation of retail distributors of liquefied petroleum gas (propane).

5 Sec. 4. EFFECTIVE DATE

6 This act shall take effect on passage.