

1 H.259

2 Introduced by Representatives Pearson of Burlington and Woodward of

3 Johnson

4 Referred to Committee on

5 Date:

6 Subject: Utilities; electric; Public Service Board; state ownership

7 Statement of purpose of bill as introduced: This bill proposes to authorize the  
8 Public Service Board to condition approval of electric company mergers or  
9 acquisitions upon state acquisition of an ownership interest in Vermont's  
10 electric generation, distribution, or transmission system, in order to promote  
11 the public good and prevent undue market power influences.

12 An act relating to public ownership within Vermont's electric industry

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

14 Sec. 1. 30 V.S.A. § 107a is added to read:

15 § 107a. STATE OWNERSHIP; CONDITIONAL APPROVAL

16 If in reviewing the petition of one or more electric companies under section  
17 107 (acquisition of control of one utility company by another) or section 311  
18 (consolidation or merger of utility companies) of this title the Board finds that  
19 the proposed acquisition, consolidation, or merger would not promote the  
20 public good because it creates the potential for undue market power influences,

1 and if the Board also finds that state acquisition of an ownership interest in  
2 Vermont's electric generation, distribution, or transmission system would  
3 alleviate the potential for such undue influences, the Board may either  
4 disapprove the petition or approve the petition conditional upon the enactment  
5 of legislation which:

6 (1) approves the petition; and

7 (2) establishes a state entity with the authority to finance, purchase,  
8 own, operate, or manage an interest in Vermont's electric generation,  
9 distribution, or transmission system.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on passage.