

1 S.25

2 Introduced by Senator Hartwell

3 Referred to Committee on

4 Date:

5 Subject: Utilities; Department of Public Service; public advocacy

6 Statement of purpose: This bill proposes to ensure adequate representation of
7 Vermont consumers by the Department of Public Service in utility matters
8 before the Public Service Board.

9 An act relating to public advocacy in utility matters

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

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

12 § 2. DEPARTMENT OF PUBLIC SERVICE; POWERS

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

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

18 (2) ~~Participation~~ participation in planning for proper utility service as
19 provided in section 202 of this title through the ~~director for regulated utility~~
20 planning Director for Regulated Utility Planning;

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

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

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

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

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

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

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

19 (10) ~~Supervision~~ supervision and regulation of telegraph and telephone
20 companies under chapters 71, 73, and 75 of this title;

1 (11) ~~Supervision~~ supervision and regulation of the organization and
2 operation of municipal plants under chapter 79 of this title;

3 (12) ~~Supervision~~ supervision and regulation of the organization and
4 operation of electric cooperatives under chapter 81 of this title.

5 (b) In cases requiring hearings by the ~~board~~ Board, the ~~department~~
6 Department, through the ~~director for public advocacy~~ Director for Public
7 Advocacy shall represent the interests of the people of the ~~state~~ State, unless
8 otherwise specified by law. In any hearing, the ~~board~~ Board may, if it
9 determines that the public interest would be served, request the ~~attorney~~
10 ~~general~~ Attorney General or a member of the Vermont ~~bar~~ Bar to represent the
11 public or the ~~state~~ State.

12 (c) The ~~department~~ Department may bring proceedings on its own motion
13 before the ~~public service board~~ Public Service Board, with respect to any
14 matter within the jurisdiction of the ~~public service board~~ Board, and may
15 initiate rule-making proceedings before ~~that board~~ the Board. The ~~public~~
16 ~~service board~~ Public Service Board, with respect to any matter within its
17 jurisdiction, may issue orders on its own motion and may initiate rule-making
18 proceedings.

19 (d) In any proceeding where the ~~decommissioning fund~~ Decommissioning
20 Fund for the Vermont Yankee nuclear facility is involved, the ~~department~~
21 Department shall represent the consuming public in a manner that

1 acknowledges that the general public interest requires that the consuming
2 public, rather than either the ~~state's~~ State's future consumers who never obtain
3 benefits from the facility or the ~~state's~~ State's taxpayers, ought to provide for
4 all costs of decommissioning. The ~~department~~ Department shall seek to have
5 the ~~decommissioning fund~~ Decommissioning Fund be based on all reasonably
6 expected costs.

7 (e) In performing its duties under this section, the Department shall ensure
8 adequate representation of the interests of those consumers whose interests
9 would otherwise be inadequately represented in matters before the Board,
10 including residential, low-income, and small business consumers. When the
11 interests of sectors within the consuming public differ, the Department shall
12 give priority to representing the interests of residential, low-income, and small
13 business consumers.

14 Sec. 2. EFFECTIVE DATE

15 This act shall take effect on passage.