1	H.126
2	Introduced by Representative Sharpe of Bristol
3	Referred to Committee on
4	Date:
5	Subject: Utilities; regulation; propane; Department of Public Service; Public
6	Service Board
7	Statement of purpose of bill as introduced: This bill proposes to place the
8	retail liquefied petroleum gas (propane) industry under the jurisdiction of the
9	Public Service Board and the Department of Public Service.
10	An act relating to State regulation of the retail propane industry
11	It is hereby enacted by the General Assembly of the State of Vermont:
12	Sec. 1. 30 V.S.A. § 2 is amended to read:
13	§ 2. DEPARTMENT OF PUBLIC SERVICE; POWERS
14	(a) The Department of Public Service shall supervise and direct the
15	execution of all laws relating to public service corporations and firms and
16	individuals engaged in such business, including the:
17	* * *
18	(11) supervision and regulation of the organization and operation of
19	municipal plants under chapter 79 of this title;

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1	(12) supervision and regulation of the organization and operation of
2	electric cooperatives under chapter 81 of this title; and
3	(13) supervision and regulation of the organization and operation of
4	retail distributors of liquefied petroleum gas (propane).
5	* * *
6	Sec. 2. 30 V.S.A. § 203 is amended to read:
7	§ 203. JURISDICTION OF CERTAIN PUBLIC UTILITIES
8	The public service board Public Service Board and the department of public
9	service Department of Public Service shall have jurisdiction over the following
10	described companies within the state State, their directors, receivers, trustees,
11	lessees, or other persons or companies owning or operating such companies
12	and of all plants, lines, exchanges, and equipment of such companies used in or
13	about the business carried on by them in this state State as covered and
14	included herein. Such jurisdiction shall be exercised by the board Board and
15	the department Department so far as may be necessary to enable them to
16	perform the duties and exercise the powers conferred upon them by law. The
17	board Board and the department Department may, when they deem the public
18	good requires, examine the plants, equipment, lines, exchanges, stations, and
19	property of the companies subject to their jurisdiction under this chapter.
20	(1) A company engaged in the manufacture, transmission, distribution,

or sale of gas or electricity directly to the public or to be used ultimately by the

public for lighting, heating, or power and so far as relates to their use or occupancy of the public highways;.

- (2) That part of the business of a company which consists of the manufacture, transmission, distribution, or sale of gas, or electricity directly to the public or to be used ultimately by the public for lighting, heating, or power and so far as relates to their use or occupancy of the public highways.
- (3) A company other than a municipality or a water system exempted under the provisions of section 10 V.S.A. § 1675a of Title 10 engaged in the collecting, sale, and distribution of water for domestic, industrial, business, or fire protection purposes;
- (4) A company engaged in the construction and maintenance of dams and storage reservoirs whether for the purpose of prevention of damage by flood, or for the purpose of power to be developed, or for the benefit of waterpower, developed or undeveloped, so situated as to be affected by such reservoirs and dams.
- (5) A person or company offering telecommunications service to the public on a common carrier basis. "Telecommunications service" means the transmission of any interactive two-way electromagnetic communications, including voice, image, data, and information. Transmission of electromagnetic communications includes the use of any media such as wires, cables, television cables, microwaves, radio waves, light waves, or any

combination of those or similar media. Telecommunications service does not
include value added value-added nonvoice services in which computer
processing applications are used to act on the form, content, code, and protocol
of the information to be transmitted unless those services are provided under
tariff approved by the public service board; Public Service Board.
(6) A company or that part of a company, other than a municipality,
which has obtained a direct or indirect discharge permit issued by the agency
of natural resources Agency of Natural Resources and is engaged in the
collection or disposal of wastewater or domestic sewage or any combination of
these activities, except companies solely involved in the hauling of septage or
sludge. This subdivision shall only apply to companies which, together with
any affiliates, service 750 or more household or dwelling units.
(7) A company engaged in the retail sale and distribution of liquefied
petroleum gas (propane).
Sec. 3. IMPLEMENTATION
The Public Service Board, consistent with its authority under Title 30 of the
Vermont Statutes Annotated, shall adopt rules governing the organization and
operation of retail distributors of liquefied petroleum gas (propane).
Sec. 4. EFFECTIVE DATE
This act shall take effect on passage.