

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;



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

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

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

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

16 (5) A person or company offering telecommunications service to the  
17 public on a common carrier basis. "Telecommunications service" means the  
18 transmission of any interactive two-way electromagnetic communications,  
19 including voice, image, data, and information. Transmission of  
20 electromagnetic communications includes the use of any media such as wires,  
21 cables, television cables, microwaves, radio waves, light waves, or any

1 combination of those or similar media. Telecommunications service does not  
2 include ~~value-added~~ value-added nonvoice services in which computer  
3 processing applications are used to act on the form, content, code, and protocol  
4 of the information to be transmitted unless those services are provided under  
5 tariff approved by the ~~public service board~~; Public Service Board.

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

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

15 Sec. 3. IMPLEMENTATION

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

19 Sec. 4. EFFECTIVE DATE

20 This act shall take effect on passage.