

# ePUC and PUC Performance Standards

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# ePUC Components

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- Online filing
- Public access to case information, including public documents
- Electronic document management
- Case management

# “Public” Use of ePUC in FY18

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- More than 12,700 filings were made in ePUC
  - Approximately 20% of these filings were made by other State agencies
- More than 20,000 documents were filed in ePUC
- More than 95% of parties in cases choose to participate using ePUC
- 2,467 people “subscribed” to a case to receive email notifications of all subsequent filings and documents issued by the Commission

# Case Management (part 1)

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- Schedule hearings and other events
- Add filing deadlines to case schedule
- Keep track of assigned cases
- Receive workflow “tasks” that include different paths (for example, determine whether a filing is complete)

# Case Management (part 2)

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- Use additional pre-defined searches related to management of Commission's overall caseload
- Use pre-defined templates to quickly produce standard documents with case information automatically filled in
- Issue Commission orders and other documents

# “Time to Disposition” Performance Standard

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- Recommended by the National Center for State Courts
- Vermont Judiciary also uses this performance standard
- Counts all cases disposed of during the fiscal year
- Measures the percentage that were resolved within the disposition time standard or goal for that case type
- Commission started using this performance standard when ePUC was implemented

# “Time to Disposition” Performance Standard

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- “It is important to note that it would be very rare indeed for every case to be decided within the disposition goal. (If that were the case, the goal is probably too high and should be lowered.) Typically, if the percentage decided within the disposition time standard is around 80% to 85%, it probably means that the court is doing well provided that the cases that exceeded the goal did so within a reasonable margin.”

-- Vermont Judiciary, Annual Statistical Report for FY18, page 3

# Environmental Division of Superior Court

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- “It is difficult to measure performance based on the age of environmental cases because there is so much variation in the average time to disposition from one case type to the next. For Act 250 appeals, the disposition goal set by the Supreme Court is 11 months for standard cases and 13 months for complex cases.”
- “For all but the most complex of cases, the Environmental Division establishes disposition guideline schedules that anticipate a disposition in 12 months or less.”

-- Vermont Judiciary, Annual Statistical Report for FY18, page 54

# Time to Resolve Net-Metering Cases

Type of System	Cases Resolved in FY18	Cases Resolved to Date in FY19
Rooftop systems and small systems on the ground	2,445 cases resolved: Approx. 97% on 11 <sup>th</sup> business or 31 <sup>st</sup> calendar day after filing	1,790 cases resolved: Approx. 92% on 11 <sup>th</sup> business or 31 <sup>st</sup> calendar day after filing
Medium-sized systems on the ground	4 cases resolved: 50% within 60 days 100% within 90 days	3 cases resolved: 33% within 60 days 100% within 90 days
Large systems on the ground	14 cases resolved: 43% within 120 days 85% within 270 days 2 cases took longer	51 cases resolved: 47% within 120 days 88% within 270 days 6 cases took longer

# Why do some cases take longer than others?

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- Location matters
  - Potential for environmental impacts
  - Aesthetic considerations
  - Electric grid constraints
  - Neighbors' and host town's interest in the project
- When concerns are raised about a proposed project, more process is necessary to give all parties to a case the opportunity to address those concerns through written filings and potentially evidentiary hearings

# Processes Balance Competing Interests

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- Legislature directed PUC to:
  - Streamline net-metering review processes where appropriate
  - Ensure adequate opportunities for members of the public to participate
- PUC designed current net-metering rule in part to meet both of those directives while also protecting the environment and ensuring the stability and reliability of the electric grid

# Net-Metering Systems are Different From Telecommunications Towers

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- Most telecommunications siting cases (Section 248a) involve putting equipment on existing towers or buildings with minimal impact on land; these follow a streamlined process that results in most of them being resolved within 60 days
  - This streamlined process is more like the streamlined process the PUC has implemented for rooftop net-metering systems and small net-metering systems on the ground

# Net-Metering Systems are Different From Telecommunications Towers (part 2)

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- Most new telecommunications towers:
  - Have a 25-foot by 25-foot compound area and do not involve building new roads; this small footprint means they have less potential for environmental impacts
  - Are located in forested areas, which minimizes the aesthetic impact on surrounding neighbors
- When a telecommunications tower siting case has significant environmental or aesthetic impacts, the timeline for that case more closely resembles the timeline for a contested net-metering case; neither would be resolved within 180 days

# PUC's Workload

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- The PUC spends almost 40% of its staff time on net-metering cases
- The remaining 60% is spent on all other regulatory matters (approx. 450 cases in FY2018), including:
  - Utility rate cases
  - Policy investigations directed by the Legislature
  - Siting of larger generation projects and utility transmission projects

# Realistic Time Guidelines

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- The PUC is not seeking the imposition of time guidelines for resolving net-metering cases
- If the Legislature chooses to impose such guidelines, the PUC requests that:
  - They be realistic and take into account the PUC's other workload
  - They start counting from the date of the last filing by a party in the case, not on the date the initial application was complete
  - They recognize that (as with a Vermont court) resolving a high percentage of cases within the guideline is appropriate
  - They recognize that complex, contested cases will be outliers