

1 S.269

2 Introduced by Senators Parent and Brock

3 Referred to Committee on

4 Date:

5 Subject: Public service; energy; self-managed energy efficiency programs

6 Statement of purpose of bill as introduced: This bill proposes to extend the
7 Energy Savings Account Partnership Pilot Program for an additional three
8 years.

9 An act relating to extending the Energy Savings Account Partnership Pilot
10 Program

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

12 Sec. 1. 2018 Acts and Resolves No. 150, Sec. 2 is amended to read:

13 Sec. 2. ENERGY SAVINGS ACCOUNT PARTNERSHIP PILOT

14 (a) Definitions. As used in this section:

15 * * *

16 (b) ESA Partnership Pilot; establishment. On or before July 1, 2019, the
17 Commission by rule or order shall establish a ~~three-year~~ six-year pilot program
18 for customers to self-direct the use of their Customer EEC Funds, working
19 with EVT. The total amount of Customer EEC Funds available in the pilot

1 program each year shall not exceed \$2 million. The pilot program established
2 under this section shall be an expansion of the ESA option under which:

3 (1) Notwithstanding any contrary provision of 30 V.S.A. § 209(d)(3)(B),
4 the customer shall continue to pay its EEC and be able to receive an amount
5 equal to 100 percent of its ESA account balance to pay for the full cost of
6 projects that are eligible under subdivision (3) of this subsection; for technical
7 assistance and other services from Efficiency Vermont; and for evaluation,
8 measurement, and verification activity conducted by the Department or EVT.

9 (2) The customer may receive payments in advance of project
10 completion from EVT based on the energy management plan submitted under
11 subsection (e) of this section, estimated project costs, and projected energy
12 savings. However, a customer shall not receive advance payments from EVT
13 that exceed the amount of Customer EEC Funds the customer has already paid.

14 (3) Notwithstanding any contrary provision of 30 V.S.A. § 209, the
15 Customer EEC Funds may be used for one or more of the following: electric
16 energy efficiency, thermal energy and process-fuel efficiency for unregulated
17 fuels, energy productivity measures, demand management, and energy storage
18 that provides benefits to the customer and its interconnecting utility. In
19 addition, for a customer who is a manufacturer and whose purchases of
20 regulated fuel exceeded 600,000 thousand cubic feet (MCF) in 2017, the Funds
21 may be used for thermal energy and process-fuel efficiency for regulated fuels,

1 and any regulated fuel savings attributable to investment of Customer EEC
2 Funds through the pilot program shall be counted towards EVT's performance
3 indicators. EVT may allocate the cost of the pilot across regulated and
4 unregulated fuel funding sources in a manner that avoids or reduces the need to
5 adjust savings goals approved by the Commission.

6 * * *

7 (e) Energy management plans. Working with EVT, each customer selected
8 for the ESA Partnership Pilot shall develop an energy management plan for the
9 ~~three-year~~ six-year period of the pilot with projects to be implemented, energy
10 savings targets, and a timeline for projects and investments. A copy of each
11 plan shall be submitted to the Commission, the Department, and ACCD.

12 * * *

13 (i) Annual reports. On or before each November 1 from 2020 through
14 ~~2022~~ 2025, the EVT and the selected customers jointly shall submit written
15 progress reports to the Commission, the Department, and the standing
16 committees of jurisdiction that include projects under the ESA Partnership
17 Pilot and their associated energy and cost savings. A customer's projects
18 under the pilot and the associated data and results shall be made public through
19 this report. However, a customer may request that the Commission order
20 customer-specific data to be used in preparing a report under this subsection be
21 kept confidential if the data would qualify for exemption from disclosure under

1 1 V.S.A. § 317. If the Commission issues such an order, the data subject to the
2 order shall be disclosed only in accordance with a protective agreement
3 approved by the Commission and signed by the recipient of the data, unless a
4 court directs otherwise.

5 (j) Evaluation; recommendation. On completion of the ESA Partnership
6 Pilot, the Commission shall conduct or shall have a third party conduct an
7 independent evaluation of the ESA Partnership Pilot.

8 * * *

9 (3) After considering the results of that evaluation, the Commission
10 shall submit a written recommendation to the standing committees of
11 jurisdiction on whether to continue the program conducted under this section
12 and, if so, under what recommended conditions and revisions, if any. The
13 Commission shall submit this recommendation to the General Assembly on or
14 before January 15, ~~2023~~ 2026.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.