

1 S.60 – (n)(3) DPS Edit

2 Introduced by Senator Cummings

3 Referred to Committee on

4 Date:

5 Subject: Public service; general powers; alternative regulation of electric and natural gas
6 companies

7 Statement purpose of bill as introduced: This bill proposes to allow municipal and cooperative
8 utilities to offer innovative rates and services to their customers. The bill also proposes to allow
9 municipal and cooperative utilities the opportunity to implement minor across-the-board rate
10 increases with streamlined regulatory review.

11 An act relating to allowing municipal and cooperative utilities to offer innovative rates
12 and services

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

14 Sec. 1. 30 V.S.A. § 218d(n) is added to read:

15 *** **

16 (3) A municipal company or electric cooperative shall be eligible to change its rates
17 pursuant to this subsection if the municipal company or electric cooperative has
18 previously received approval for a rate change from:

19 (A) the Commission where such approval was granted under sections 218, 225-
20 227 of this title on or after January 1, 2020 and no greater than seven years prior
21 to the date of the municipal company or electric cooperative filing written notice
22 pursuant to subdivision (n)(2); and

1 (B) its governing body at a duly warned meeting held for such purpose prior to
2 filing its written notice pursuant to subdivision (n)(2) with the Department of
3 Public Service and the Commission.

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5 **NOTE: Under S.60 as drafted, the Department or five or more members of the public may
6 object to a rate adjustment under subsection (n), thus prompting an investigation under §§ 218,
7 225-227. The Commission may also order an investigation on its own motion. The proposed
8 language above requires a municipal company or electric cooperative to previously have
9 Commission approval pursuant §§ 218, 225-227 (1) after January 1, 2020, AND (2) at least once
10 within 7 years from the date of filing its notice under subsection (n)(2). This creates a stop limit
11 of 7 years for municipal companies and coops to seek rate change under subsection (n)(2)
12 without a full rate case. Should an investigation open upon objection or the Commission's
13 motion following a notice under (n)(2) resulting in a full rate case under §§ 218, 225-227 and the
14 investigation results in approval, the 7 year limit restarts.