

1 TO THE HONORABLE SENATE:

2 The Committee on Finance to which was referred Senate Bill No. 269  
3 entitled “An act relating to extending the Energy Savings Account Partnership  
4 Pilot Program” respectfully reports that it has considered the same and  
5 recommends that the bill be amended by striking out all after the enacting  
6 clause and inserting in lieu thereof the following:

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

8 Sec. 2. ENERGY SAVINGS ACCOUNT PARTNERSHIP PILOT

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

10 \* \* \*

11 (b) ESA Partnership Pilot; establishment. On or before July 1, 2019, the  
12 Commission by rule or order shall establish a ~~three-year~~ pilot program for  
13 customers to self-direct the use of their Customer EEC Funds, working with  
14 EVT. The total amount of Customer EEC Funds available in the pilot program  
15 each year shall not exceed \$2 million. The pilot program established under  
16 this section shall be an expansion of the ESA option under which:

17 (1) Notwithstanding any contrary provision of 30 V.S.A. § 209(d)(3)(B),  
18 the customer shall continue to pay its EEC and be able to receive an amount  
19 equal to 100 percent of its ESA account balance to pay for the full cost of  
20 projects that are eligible under subdivision (3) of this subsection; for technical

1 assistance and other services from Efficiency Vermont; and for evaluation,  
2 measurement, and verification activity conducted by the Department or EVT.

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

8 (3) Notwithstanding any contrary provision of 30 V.S.A. § 209, the  
9 Customer EEC Funds may be used for one or more of the following: electric  
10 energy efficiency, thermal energy and process-fuel efficiency for unregulated  
11 fuels, energy productivity measures, demand management, and energy storage  
12 that provides benefits to the customer and its interconnecting utility. In  
13 addition, for a customer who is a manufacturer and whose purchases of  
14 regulated fuel exceeded 600,000 thousand cubic feet (MCF) in 2017, the Funds  
15 may be used for thermal energy and process-fuel efficiency for regulated fuels,  
16 and any regulated fuel savings attributable to investment of Customer EEC  
17 Funds through the pilot program shall be counted towards EVT's performance  
18 indicators. EVT may allocate the cost of the pilot across regulated and  
19 unregulated fuel funding sources in a manner that avoids or reduces the need to  
20 adjust savings goals approved by the Commission.



1 customer-specific data to be used in preparing a report under this subsection be  
2 kept confidential if the data would qualify for exemption from disclosure under  
3 1 V.S.A. § 317. If the Commission issues such an order, the data subject to the  
4 order shall be disclosed only in accordance with a protective agreement  
5 approved by the Commission and signed by the recipient of the data, unless a  
6 court directs otherwise.

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

10 \* \* \*

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

17 **Sec. 2. ESA PARTNERSHIP PILOT WORKING GROUP**

18 (a) On or before August 1, 2022, the Department of Public Service shall  
19 convene the Energy Savings Account Partnership Pilot Program Working  
20 Group. The Working Group shall include the participants in the Energy  
21 Savings Account program created pursuant to 30 V.S.A. § 209(d)(3)(B), the

1 participants in the Energy Savings Account Partnership Pilot Program,  
2 Efficiency Vermont, and the Secretary of Commerce and Community  
3 Development or designee.

4 (b) On or before January 15, 2023, the Energy Savings Account  
5 Partnership Pilot Program Working Group shall report to the General  
6 Assembly with recommended changes to the Energy Savings Account program  
7 rules.

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on passage.

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13 (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE