## 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 (b) ESA Partnership Pilot; establishment. On or before July 1, 2019, the 11 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	(4) The pilot created pursuant to this section shall be extended an
2	additional 18 months, until December 31, 2024. The Commission shall allow
3	the current participants in the pilot to decline to participate in this extension by
4	submitting written notice to the Commission on or before June 30, 2022.
5	(5) The participants selected for the pilot may request an additional
6	extension until December 31, 2026. The Commission shall consider requests
7	and shall approve all reasonable extension requests.
8	* * *
9	(e) Energy management plans. Working with EVT, each customer selected
10	for the ESA Partnership Pilot shall develop an energy management plan for the
11	three year period of the pilot with projects to be implemented, energy savings
12	targets, and a timeline for projects and investments. A copy of each plan shall
13	be submitted to the Commission, the Department, and ACCD.
14	* * *
15	(i) Annual reports. On or before each November 1 from 2020 through
16	2022 2025, the EVT and the selected customers jointly shall submit written
17	progress reports to the Commission, the Department, and the standing
18	committees of jurisdiction that include projects under the ESA Partnership
19	Pilot and their associated energy and cost savings. A customer's projects
20	under the pilot and the associated data and results shall be made public through
21	this report. However, a customer may request that the Commission order

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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	<u>rules.</u>
8	Sec. 3. EFFECTIVE DATE
9	This act shall take effect on passage.
10	
11	
12	
13	(Committee vote:)
14	
15	Senator
16	FOR THE COMMITTEE