

1 S.60

2 Senator MacDonald moves that the bill be amended by striking out all after
3 the enacting clause and inserting in lieu thereof the following:

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

5 (n)(1) Notwithstanding subsection (a) of this section and section 229 of this
6 title, a municipal company formed under local charter or under chapter 79 of
7 this title and an electric cooperative formed under chapter 81 of this title shall
8 be authorized to change their rates for service to their customers if the rate
9 change is:

10 (A) applied to all customers equally;

11 (B) not more than two percent during any twelve-month period; and

12 (C) not more than 10 percent from the rates last approved by the
13 Commission.

14 (2) The municipal company or electric cooperative shall provide written
15 notice of a rate change pursuant to this subsection to the Department of Public
16 Service and the Commission and its customers at least 45 days prior to
17 implementing the rate change. It shall also follow any notice procedures
18 established in its own bylaws. Included with the submission shall be a rate
19 analysis describing the rationale for the rate change. Unless an objection to the
20 rate change is filed with the Commission within 45 days of this notice or the

1 Commission orders an investigation on its own motion, the municipal
2 company or electric cooperative may implement the rate change.

3 (3) A municipal company or electric cooperative shall not be eligible to
4 change its rates pursuant to this subsection unless it has received approval for a
5 rate change from the Commission after January 1, 2021.

6 (4) If a municipal company's or electric cooperative's rate change
7 pursuant to this subsection is more than 10 percent from the rates last approved
8 by the Commission, the change shall not be approved pursuant to this
9 subsection, and the change may only be approved pursuant to another
10 subsection of this section or pursuant to section 218 and sections 225–227 of
11 this title.

12 (5) The Commission shall establish, by rule or order, standards and
13 procedures for implementing this subsection. At a minimum, these procedures
14 shall require the municipal company or electric cooperative to hold a public
15 hearing on any change. The procedures shall also establish the number of
16 persons that would need to object to a rate change under this subsection to
17 require a ratemaking case before the Commission and the period during which
18 an objection may be made.

19 (o)(1) Notwithstanding subsections (a) and (n) of this section and section
20 229 of this title, a municipal company formed under local charter or under
21 chapter 79 of this title and an electric cooperative formed under chapter 81 of

1 this title shall be authorized to offer innovative rates or services to their
2 customers as pilot programs without obtaining prior approval from the
3 Commission if the rate or service:

4 (A) is designed to satisfy the requirements of subdivision 8005(a)(3)
5 of this title or to advance the goals of the State Comprehensive Energy Plan;

6 (B) has a duration of 18 months or less; and

7 (C) shall not result in:

8 (i) plant additions of more than two percent of the municipal
9 company's or electric cooperative's net plant capacity; or

10 (ii) an increase in the municipal company's or electric
11 cooperative's overall cost-of-service by more than two percent.

12 (2) The municipal company or electric cooperative shall provide written
13 notice of an innovative rate or service to the Department of Public Service and
14 the Commission at least 45 days prior to offering the innovative rate or service
15 to its customers. Included with the submission shall be the terms and
16 conditions of service. Unless an objection to the innovative rate or service is
17 filed with the Commission within 45 days of this notice or the Commission
18 orders an investigation on its own motion, the municipal company or electric
19 cooperative may commence offering the innovative rate or service to its
20 customers.

1 (3) The municipal company or electric cooperative shall provide written
2 notice to the Department of Public Service and the Commission at least
3 45 days prior to the end of an innovative rate or service duration period with
4 any proposed modifications to the terms and conditions. Unless an objection
5 to the innovative rate or service is filed with the Commission within 45 days of
6 this notice or the Commission orders an investigation on its own motion, the
7 municipal company or electric cooperative may continue offering the
8 innovative rate or service to its customers. The Commission may allow for the
9 innovative rate or service to remain in effect pending the outcome of an
10 investigation into the notice filing.

11 (4) The Commission may establish, by rule or order, standards and
12 procedures for implementing and interpreting this section.

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on July 1, 2021.