

1 TO THE HONORABLE SENATE:

2 The Committee on Finance to which was referred Senate Bill No. 60  
3 entitled “An act relating to allowing municipal and cooperative utilities to offer  
4 innovative rates and services” respectfully reports that it has considered the  
5 same and recommends that the bill be amended by striking out all after the  
6 enacting clause and inserting in lieu thereof the following:

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

8 (n)(1) Notwithstanding subsection (a) of this section and sections 218, 225,  
9 226, 227, and 229 of this title, a municipal company formed under local charter  
10 or under chapter 79 of this title and an electric cooperative formed under  
11 chapter 81 of this title shall be authorized to change its rates for service to its  
12 customers if the rate change is:

13 (A) applied to all customers equally;

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

15 (C) cumulatively not more than 10 percent from the rates last

16 approved by the Commission; and

17 (D) not going to take effect more than 10 years from the last approval

18 for a rate change from the Commission.

19 (2) The municipal company or electric cooperative shall provide written

20 notice of a rate change pursuant to this subsection to its customers, the

21 Department of Public Service, and the Commission at least 45 days prior to

1 implementing the rate change. Included with the submission shall be a rate  
2 analysis describing the rationale for the rate change. Unless an objection to the  
3 rate change is filed by the Department of Public Service with the Commission  
4 within 45 days of this notice or the Commission orders an investigation on its  
5 own motion, the municipal company or electric cooperative may implement  
6 the rate change.

7 (3) If the Department does not object to the change within 30 days, five  
8 persons adversely affected by the change may apply at their own expense to  
9 the Commission by petition alleging why the change is unreasonable and  
10 unjust and asking that the Commission investigate the matter and make such  
11 orders as justice and law require.

12 (4) A municipal company or electric cooperative shall be eligible to  
13 change its rates pursuant to this subsection only if it has received approval for  
14 a rate change from its governing body at a duly warned meeting held for such  
15 purpose prior to filing its written notice with the Department and the  
16 Commission.

17 (5) The Commission shall establish, by rule or order, standards and  
18 procedures for implementing this subsection.

19 (o)(1) Notwithstanding subsections (a) and (n) of this section and sections  
20 218, 225, 226, 227, and 229 of this title, a municipal company formed under  
21 local charter or under chapter 79 of this title and an electric cooperative formed

1 under chapter 81 of this title shall be authorized to offer innovative rates or  
2 services to their customers as pilot programs without obtaining prior approval  
3 from the 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 its customers, the Department of  
14 Public Service, and the Commission at least 45 days prior to offering the  
15 innovative rate or service to its customers. Included with the submission shall  
16 be the terms and conditions of service. Unless an objection to the innovative  
17 rate or service is filed with the Commission within 45 days of this notice or the  
18 Commission orders an investigation on its own motion, the municipal  
19 company or electric cooperative may commence offering the innovative rate or  
20 service to its 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.

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16          (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE