

1 Introduced by Senate Committee on Natural Resources and Energy
2 Referred to Committee on
3 Date:
4 Subject: Public service; energy; fuel; Clean Heat Standard
5 Statement of purpose of bill as introduced: This bill proposes to make multiple
6 miscellaneous changes to the Clean Heat Standard.

7 An act relating to changes to the Clean Heat Standard

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

9 Sec. 1. 30 V.S.A. § 8124 is amended to read:

10 § 8124. CLEAN HEAT STANDARD COMPLIANCE

11 * * *

12 (b) Annual registration.

13 * * *

14 (4) The Commission shall maintain, and update annually, a list of
15 registered entities on its website ~~that contains the required registration~~
16 ~~information.~~

17 * * *

18 Sec. 2. 30 V.S.A. § 8125 is amended to read:

19 § 8125. DEFAULT DELIVERY AGENT

20 * * *

1 (b) Appointment. The default delivery agent shall be one or more
2 statewide entities capable of providing a variety of clean heat measures. The
3 Commission shall designate the first default delivery agent ~~on or before June 1,~~
4 2024 within 180 days following the General Assembly’s authorization of the
5 adoption of the Clean Heat Standard rule. The designation of an entity under
6 this subsection may be by order of appointment or contract. A designation,
7 whether by order of appointment or by contract, may only be issued after
8 notice and opportunity for hearing. An existing order of appointment issued by
9 the Commission under section 209 of this title may be amended to include the
10 responsibilities of the default delivery agent. An order of appointment shall be
11 for a limited duration not to exceed 12 years, although an entity may be
12 reappointed by order or contract. An order of appointment may include any
13 conditions and requirements that the Commission deems appropriate to
14 promote the public good. For good cause, after notice and opportunity for
15 hearing, the Commission may amend or revoke an order of appointment.

16 * * *

17 Sec. 3. 30 V.S.A. § 8126 is amended to read:

18 § 8126. RULEMAKING

19 (a) The Commission shall adopt rules and may issue orders to implement
20 and enforce the Clean Heat Standard program.

21 * * *

1 (c) The Commission’s rules may include a provision that allows the
2 Commission to revise its Clean Heat Standard rules by order of the
3 Commission without the revisions being subject to the rulemaking
4 requirements of ~~the~~ 3 V.S.A. chapter 25, provided the Commission:

5 (1) provides notice of any proposed changes;

6 (2) allows for a 30-day comment period;

7 (3) responds to all comments received on the proposed change;

8 (4) provides a notice of language assistance services on all public
9 outreach materials; and

10 (5) arranges for language assistance to be provided to members of the
11 public as requested using professional language services companies.

12 (d) Any order issued under ~~this chapter~~ subsection (c) of this section shall
13 be subject to appeal to the Vermont Supreme Court under section 12 of this
14 title, and the Commission must immediately file any orders, a redline, and
15 clean version of the revised rules with the Secretary of State, with notice
16 simultaneously provided to the House Committee on Environment and Energy
17 and the Senate Committees on Finance and on Natural Resources and Energy.

18 Sec. 4. 2023 Acts and Resolves No. 18, Sec. 6 is amended to read:

19 Sec. 6. PUBLIC UTILITY COMMISSION IMPLEMENTATION

20 * * *

21 (f) Final rules.

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(5) The final proposed rules shall contain the first set of annual required amounts for obligated parties as described in 30 V.S.A. § 8124(a)(1)(2). The first set of annual required amounts shall only be adopted through the rulemaking process established in this section, not through an order.

* * *

Sec. 5. 32 V.S.A. § 3102 is amended to read:

§ 3102. CONFIDENTIALITY OF TAX RECORDS

* * *

(d) The Commissioner shall disclose a return or return information:

* * *

(7) to the Joint Fiscal Office pursuant to subsection 10503(e) of this title and subject to the conditions and limitations specified in that subsection; ~~and~~

(8) to the Attorney General; the Data Clearinghouse established in the October 2017 Non-Participating Manufacturer Adjustment Settlement Agreement, which the State of Vermont joined in 2018; the National Association of Attorneys General; and counsel for the parties to the Agreement as required by the Agreement and to the extent necessary to comply with the Agreement and only as long as the State is a party to the Agreement; and

(9) to the Public Utility Commission and the Department of Public Service, provided the disclosure relates to the sale of heating fuel into or in the

1 State for auditing compliance with the Clean Heat Standard established in 30

2 V.S.A. chapter 94.

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4 Sec. 6. EFFECTIVE DATE

5 This act shall take effect on July 1, 2024.