

1 Introduced by Senate Committee on Natural Resources and Energy  
2 Referred to Committee on  
3 Date:  
4 Subject: Public service; utilities; Public Utility Commission  
5 Statement of purpose of bill as introduced: This bill proposes to make multiple  
6 changes to statutes related to the Public Utility Commission including notice  
7 requirements and energy storage facilities.

8 An act relating to miscellaneous changes related to the Public Utility  
9 Commission

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

11 Sec. 1. 3 V.S.A. § 165(b) is amended to read:

12 (b) Public contract advocates shall be appointed or retained for such time as  
13 may be required to monitor, represent the public interest, and report on any  
14 contract for basic telecommunications service under 30 V.S.A. § 226a.

15 Compensation, expenses, and support of public contract advocates shall be  
16 assessed as costs to the Department of Public Service and paid from the  
17 revenues received from the tax to finance the Department and the ~~Board~~ Public  
18 Utility Commission levied under 30 V.S.A. § 22.

19 Sec. 2. 30 V.S.A. § 8(d) is amended to read:

1 (d) ~~At least 12 days prior to~~ Written notice of a hearing before ~~the~~  
2 ~~Commission~~ a Commissioner or a hearing officer, ~~the Commission shall give~~  
3 ~~written notice of the time and place of the hearing to all parties to the case and~~  
4 ~~shall indicate the name and title of the person designated to conduct the~~  
5 ~~hearing shall be given in accordance with 30 V.S.A. § 10.~~

6 Sec. 3. 30 V.S.A. § 10 (c) is amended to read:

7 (c) As used in this section, the term “hearings” refers to public hearings and  
8 evidentiary hearings. ~~A scheduling or procedural conference~~ All other  
9 proceedings before the Commission may be held upon any reasonable notice.

10 Sec. 4. 30 V.S.A. § 102(a) is amended to read:

11 (a) Before the articles of incorporation are transmitted to the Secretary of  
12 State, the incorporators shall petition the Public Utility Commission to  
13 determine whether the establishment and maintenance of the corporation will  
14 promote the general good of the State and shall at that time file a copy of any  
15 petition with the Department. The Department, within 12 days, shall review  
16 the petition and file a recommendation regarding the petition in the same  
17 manner as is set forth in subsection 225(b) of this title. The recommendation  
18 shall set forth reasons why the petition shall be accepted without hearing or  
19 shall request that a hearing on the petition be scheduled. If the Department  
20 requests a hearing on the petition, or, if the Commission deems a hearing  
21 necessary, it shall appoint a time and place either remotely accessible or in the

1 county where the proposed corporation is to have its principal office for  
2 hearing the petition. ~~At least 12 days before this hearing, notice~~ Notice of the  
3 hearing shall be given in accordance with section 10 of this title and shall be  
4 published on the Commission’s website and once in a newspaper of general  
5 circulation in the county in which the proposed corporation is to have its  
6 principal office. The website notice shall be maintained through the date of the  
7 hearing. The newspaper notice shall include an ~~Internet~~ internet address where  
8 more information regarding the petition may be viewed. The Department of  
9 Public Service, through the Director for Public Advocacy, shall represent the  
10 public at the hearing.

11 Sec. 5. 30 V.S.A. § 231(a) is amended to read:

12 (a) A person, partnership, unincorporated association, or previously  
13 incorporated association that desires to own or operate a business over which  
14 the Public Utility Commission has jurisdiction under the provisions of this  
15 chapter shall first petition the Commission to determine whether the operation  
16 of such business will promote the general good of the State, and shall at that  
17 time file a copy of any such petition with the Department. The Department,  
18 within 12 days, shall review the petition and file a recommendation regarding  
19 the petition in the same manner as is set forth in subsection 225(b) of this title.  
20 Such recommendation shall set forth reasons why the petition shall be accepted  
21 without hearing or shall request that a hearing on the petition be scheduled. If

1 the Department requests a hearing on the petition, or, if the Commission deems  
2 a hearing necessary, it shall appoint a time and place in the county where the  
3 proposed corporation is to have its principal office for hearing the petition. ~~At~~  
4 ~~least 12 days before this hearing, notice~~ Notice of the hearing shall be given in  
5 accordance with section 10 of this title and shall be published on the  
6 Commission’s website and once in a newspaper of general circulation in the  
7 county in which the hearing will occur. The website notice shall be maintained  
8 through the date of the hearing. The newspaper notice shall include an ~~Internet~~  
9 internet address where more information regarding the petition may be viewed.  
10 The Director for Public Advocacy shall represent the public at the hearing. If  
11 the Commission finds that the operation of such business will promote the  
12 general good of the State, it shall give such person, partnership, unincorporated  
13 association, or previously incorporated association a certificate of public good  
14 specifying the business and territory to be served by such petitioners. For good  
15 cause, after opportunity for hearing, the Commission may amend or revoke any  
16 certificate awarded under the provisions of this section. If any such certificate  
17 is revoked, the person, partnership, unincorporated association, or previously  
18 incorporated association shall no longer have authority to conduct any business  
19 which is subject to the jurisdiction of the Commission whether or not  
20 regulation thereunder has been reduced or suspended, under section 226a or  
21 227a of this title.

1 Sec. 6. 30 V.S.A. § 248(u) is amended to read:

2 (u) ~~For an energy storage facility, a~~ A certificate under this section shall  
3 only be required for ~~a stationary facility exporting to the grid~~ an energy storage  
4 facility that has a capacity of 100 kW or greater, unless the Commission  
5 establishes a larger threshold by rule. The Commission shall establish a  
6 simplified application process for energy storage facilities subject to this  
7 section with a capacity of up to 1 MW, unless it establishes a larger threshold  
8 by rule. For facilities eligible for this simplified application process, a  
9 certificate of public good will be issued by the Commission by the ~~forty-sixth~~  
10 46th day following filing of a complete application, unless a substantive  
11 objection is timely filed with the Commission or the Commission itself raises  
12 an issue. The Commission may require facilities eligible for the simplified  
13 application process to include a letter from the interconnecting utility  
14 indicating the absence or resolution of interconnection issues as part of the  
15 application.

16 Sec. 7. EFFECTIVE DATE

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