

1 S.255

2 Introduced by Senator Watson

3 Referred to Committee on

4 Date:

5 Subject: Public service; Public Utility Commission; Auditor of Accounts

6 Statement of purpose of bill as introduced: This bill proposes to require the

7 Auditor of Accounts to audit the Public Utility Commission every three years.

8 The bill would also establish the permanent Equity Advisory Group to the

9 Public Utility Commission.

10 An act relating to equity and public access at the Public Utility Commission

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

12 Sec. 1. 32 V.S.A. § 163 is amended to read:

13 § 163. DUTIES OF THE AUDITOR OF ACCOUNTS

14 In addition to any other duties prescribed by law, the Auditor of Accounts

15 shall:

16 * * *

17 (6)(A) Every three years perform a performance audit of the Public

18 Utility Commission on its:

19 (i) approach to energy justice, environmental justice, and equity

20 policy, as directed by the General Assembly, with attention paid to how the

1 Commission promotes access to its proceedings and ensures equitable
2 outcomes from the programs it oversees; and

3 (ii) faithfulness in executing the policies enacted by the General
4 Assembly, including complying with all current legislative intent and direction
5 to the Commission.

6 (B) On or before December 15, 2024, and every three years after, the
7 Auditor shall report to the General Assembly on the results of the
8 Commission's performance audit required under this subdivision (6) and
9 recommend any statutory, budgetary, and regulatory changes necessary to
10 address concerns identified in the report. After the first audit, the Auditor may
11 contract with an independent third party to conduct subsequent audits. The
12 provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall not apply
13 to the report to be made under this subdivision (6).

14 * * *

15 Sec. 2. APPROPRIATION

16 In fiscal year 2025, the sum of \$80,000.00 is appropriated from the General
17 Fund to the Auditor of Accounts to perform the performance audit required
18 under 32 V.S.A. § 163(6).

19 Sec. 3. REPEAL

20 30 V.S.A. § 8129 is repealed.

1 Sec. 4. 30 V.S.A. § 35 is added to read:

2 § 35. EQUITY ADVISORY GROUP TO THE PUBLIC UTILITY

3 COMMISSION

4 (a) The Commission shall establish the Equity Advisory Group to the
5 Public Utility Commission to assist the Commission in developing and
6 implementing policy and programs in a manner that ensures equity and
7 environmental justice. Its duties shall include:

8 (1) providing feedback to the Commission on strategies for engaging
9 Vermonters with low income and moderate income in the public process for
10 rulemakings;

11 (2) supporting the Commission in assessing whether customers are
12 equitably served by utility programs;

13 (3) identifying actions needed to provide customers with low income
14 and moderate income with better service;

15 (4) recommending any additional programs, incentives, or funding
16 needed to support customers with low income and moderate income and
17 organizations that provide social services to Vermonters;

18 (5) providing feedback to the Commission on the impact of its programs
19 on the experience of Vermonters with low income and moderate income; and

20 (6) providing information to the Commission on the challenges renters
21 and residents of manufactured homes face in equitably accessing renewable

1 energy programs and recommendations to ensure that renters and residents of
2 manufactured homes have equitable access to renewable energy programs.

3 (b) The Equity Advisory Group to the Public Utility Commission shall
4 consist of up to 10 members appointed by the Commission and at a minimum
5 shall include at least one representative from each of the following groups: the
6 Department of Public Service; the Department for Children and Families’
7 Office of Economic Opportunity; a community action agency with expertise in
8 low-income weatherization; a community action agency with expertise in
9 serving residents of manufactured homes; Efficiency Vermont; the Vermont
10 Association of Area Agencies on Aging; individuals with socioeconomically,
11 racially, and geographically diverse backgrounds; renters; rental property
12 owners; the Vermont Housing Finance Agency; and a member of the Vermont
13 Fuel Dealers Association. Members who are not otherwise compensated by
14 their employer shall be entitled to per diem compensation and reimbursement
15 for expenses under 32 V.S.A. § 1010.

16 (c) The members of the Group shall serve staggered three-year terms with
17 three members terms expiring each year.

18 Sec. 5. POSITION; APPROPRIATION; PUBLIC UTILITY COMMISSION

19 (a) In fiscal year 2025, the sum of \$8,000.00 is appropriated from the
20 General Fund to the Public Utility Commission to pay the per diem
21 compensation required under 30 V.S.A. § 35.

1 (b) One new ombudsman is created as a classified position at the Public
2 Utility Commission. The position shall focus on improving public access to
3 the Commission and its proceedings.

4 (c) In fiscal year 2025, the sum of \$100,000.00 is appropriated from the
5 General Fund to the Public Utility Commission to fund the position established
6 in subsection (b) of this section.

7 Sec. 6. EFFECTIVE DATES

8 This act shall take effect on July 1, 2024, except that Sec. 3 (repeal) and
9 Sec. 4 (30 V.S.A. § 35) shall take effect on January 1, 2025.