



A P P E A R A N C E S

ERIN BRENNAN, ESQUIRE  
Appearing for the VT Department of Public Service  
112 State Street  
Montpelier, VT 05620-2601  
erin.brennan@vermont.gov

McNEIL, LEDDY & SHEAHAN, P.C.  
Appearing for VPPSA  
271 South Union Street  
Burlington, VT 05401  
BY: WILLIAM F. ELLIS, ESQUIRE  
wellis@mcneilvt.com

Also Present: Sarah Braese, VPPSA  
Drew Clayson, VPPSA

1 HEARING OFFICER POPPITI: Good  
2 afternoon. This is a scheduling conference in Case  
3 Number 23-3604-PET which concerns the petition of  
4 Vermont Public Power Supply Authority for approval of  
5 a proposed EV/EVSE tariff rider program for its  
6 member utilities. My name is Andrea Poppiti and the  
7 Commission has appointed me to be the hearing officer  
8 in this proceeding, and Jacob Davis of the PUC staff  
9 is on the call and I think Micah Howe is also on the  
10 call, but he's not showing up on the screen. I would  
11 like to start by taking appearances starting with the  
12 Department.

13 MS. BRENNAN: Hi. Good afternoon  
14 everyone. My name is Erin Brennan. I'm Special  
15 Counsel with the Vermont Department of Public  
16 Service.

17 MR. ELLIS: Good afternoon. Bill Ellis  
18 with McNeil Leddy & Sheahan on behalf of VT Public  
19 Power Supply Authority.

20 HEARING OFFICER POPPITI: Great. Thanks  
21 and I see there are a couple other folks from VPPSA  
22 on the call as well. No need to go through  
23 everyone's name, but if you want to mention yourself  
24 feel free.

25 MS. BRAESE: Sarah Braese, Assistant

1 General Manager, with VT Public Power Supply  
2 Authority.

3 HEARING OFFICER POPPITI: Great. Nice  
4 to see you. Okay. So I got the schedule filed in  
5 ePUC and it looks good. One thing I wanted to ask  
6 about is whether parties would be interested in  
7 having a workshop at some point maybe after the  
8 discovery just so that we can get some more  
9 information about, you know, how the programs are  
10 intended to work and maybe there's just some  
11 questions that we have. I thought that it might be  
12 an efficient way to just, you know, get some informal  
13 discussion going after the discovery. So I just  
14 wanted to hear from folks on that.

15 MR. ELLIS: I think I speak for VPPSA  
16 saying we would encourage that happening. It makes a  
17 lot of sense.

18 HEARING OFFICER POPPITI: Great.

19 MS. BRENNAN: The Department would  
20 agree. I think a workshop makes a lot of sense.

21 HEARING OFFICER POPPITI: Okay. Maybe  
22 we can -- let me just look at my calendar just to see  
23 if we can preliminarily look at a week that might  
24 work and you folks could check back with people, and  
25 I'm thinking that -- would it make sense to do this

1 before the March 13 deadline and would the Department  
2 like this before discovery or do you want some time  
3 to think about it?

4 MS. BRENNAN: I think certainly before  
5 the March 13 deadline in terms of before discovery if  
6 we can that would be helpful. That would help inform  
7 our discovery, but if it has to be after that first  
8 round, that's okay too. I only have two rounds built  
9 in.

10 MR. ELLIS: If I may, we had discussed  
11 this yesterday and one of our, VPPSA's, thoughts was  
12 to have a workshop sooner rather than later. Maybe  
13 it would help to focus discovery if not eliminate  
14 some questions that would otherwise be asked. So the  
15 sooner the better I believe from VPPSA's perspective.

16 HEARING OFFICER POPPITI: Okay. Let's  
17 see. So the week of January 1 is a Monday. We could  
18 look at that week unless folks want to move out the  
19 January 10 discovery deadline.

20 MS. BRENNAN: Either week would work for  
21 me. I can run that by folks internally, but on my  
22 calendar it looks fine.

23 HEARING OFFICER POPPITI: Okay. If you  
24 want to look at the week of the first or the week of  
25 the eighth, I think I'm pretty open. Let's look -- I

1 have a hearing at some point the week of the first  
2 potentially, but generally I'm open and if you want  
3 to come back and if you do request it for the week of  
4 the eighth, it might be a good idea to move out the  
5 discovery request deadline.

6 MS. BRENNAN: Sure.

7 HEARING OFFICER POPPITI: Does that  
8 sound okay, Mr. Ellis?

9 MR. ELLIS: That sounds fine. I mean I  
10 think most of the folks from VPPSA are on this -- or  
11 in this meeting right now and unless one of them  
12 pipes up and says they can't make it during the week  
13 of the first, obviously probably not the first, but  
14 if they are available, I'm good.

15 HEARING OFFICER POPPITI: Okay and the  
16 Commissioners might want to attend too. So the  
17 sooner that you could file something to let me know  
18 what dates you're looking at, maybe give a couple of  
19 options, that would be great and then I'll run it by  
20 them as well in case they want to attend.

21 MS. BRAESE: Sarah Braese. Just to add  
22 VPPSA's Board of Directors is scheduled to meet that  
23 Wednesday. So if it would be the week of the first,  
24 I would recommend the tail end of the week or perhaps  
25 your other suggestion that if we do the beginning of

1 the week of the eighth that it would slightly push  
2 out that start date for the round of discovery.

3 HEARING OFFICER POPPITI: Okay. Either  
4 option works for me. We'll see what the  
5 Commissioners think as well.

6 MR. ELLIS: I would just point out if it  
7 gets pushed out into the week of the eighth, I think  
8 I have a rate case hearing. It's going to be  
9 scheduled that week. So the Commission should make  
10 sure things don't happen on the same day.

11 HEARING OFFICER POPPITI: I'm on that  
12 case too so --

13 MR. ELLIS: Okay good. That's right.

14 HEARING OFFICER POPPITI: I'm looking at  
15 the end of the week for that so we'll see. Okay.  
16 Anything else on the schedule? Sorry.

17 MS. BRENNAN: That's okay. I just  
18 wanted to double-check you would like parties to file  
19 maybe two to three days that work?

20 HEARING OFFICER POPPITI: Yes. Great.  
21 If you could get that to us within the next like two  
22 or three days, that would be -- that would be good.  
23 Okay. Anything else on the schedule?

24 So I have some just broad questions  
25 about the petition process wise, and I'm wondering if

1 the parties are looking for sort of a declaratory  
2 ruling or judgment about approving the tariff as a  
3 template for future filings, if that is something  
4 that the parties are -- envision as part of this  
5 proceeding.

6 MR. ELLIS: I believe so. We didn't  
7 want to file 11 tariffs.

8 HEARING OFFICER POPPITI: Yes.

9 MR. ELLIS: The idea was to file a  
10 template, work out whatever issues may be associated  
11 with it, and then more than 45 days in advance of the  
12 deadline for having tariffs in place, which I believe  
13 is June 30, 2024, have each of the 11 members file  
14 based upon the results of this proceeding what we've  
15 come up with as far as a template. Sort of like with  
16 the net metering tariffs when we have amendments that  
17 go through a process when rules have been revised  
18 that's the process VPPSA has used on behalf of its  
19 members in the past and that's -- that's sort of what  
20 we generally envision how this would play out.

21 HEARING OFFICER POPPITI: Okay.  
22 Anything from the Department? Oh I see your  
23 microphone is on.

24 MS. BRENNAN: That's okay. I can't say  
25 that I'm sure yet. This is a bit of a novel petition

1 so we're still working in the earlier stages of  
2 reviewing, and we're still informing our questions  
3 about it. So I'm actually -- I actually am not sure  
4 I have an answer to your question for you.

5 HEARING OFFICER POPPITI: That's okay.

6 MS. BRENNAN: Okay.

7 HEARING OFFICER POPPITI: Maybe as the  
8 proceeding unfolds like we'll get a better sense of  
9 that and the Department can address that as it  
10 happens because, you know, I'm sort of thinking about  
11 what will an order in this case look like, you know,  
12 and so any, you know, feedback that we get from the  
13 parties as we go along will be helpful, you know, in  
14 terms of expectations and such because, you know,  
15 ones of the issues is, you know, the precedential  
16 effect of this order in the tariff filings because  
17 of, you know, an issue of pre-approval is something  
18 we have to avoid, you know. So there's a finessing  
19 that has to happen to make sure that we address what  
20 we need to at the same time as what we can. So yeah,  
21 and then also thinking about the timing for the  
22 tariffs as well because if there are some questions  
23 that need to be answered for the specific tariffs  
24 when they are filed, we have the 45-day period, but  
25 it might be prudent to have a little bit of extra

1 time, you know, in case there are some questions. So  
2 yeah just something to keep in mind as the case  
3 unfolds really.

4 MR. HOWE: Andrea, I had a quick  
5 question. I am here. Apologies. For some reason my  
6 camera has decided not to pick me up. A question for  
7 Mr. Ellis. You said you had used this process  
8 before. Is there -- none of the hearing officers  
9 here are familiar with it. Do you know a case  
10 citation maybe that we could go back and look and see  
11 what came out or how this was handled, similar  
12 procedural case where there is sort of a precursor  
13 and then divided up into individual cases later. Is  
14 there an example we might look at?

15 MR. ELLIS: I apologize for that. This  
16 is new --

17 MR. HOWE: Okay.

18 MR. ELLIS: -- for me as well. The idea  
19 though was that with the net metering issues were  
20 generally worked out in advance and then VPPSA filed  
21 for each of the members. So that's sort of the idea  
22 here is to try to work out as many generic issues as  
23 possible on the template, and it's understood that  
24 there may be issues with each individual member, but  
25 the idea here was to try to work out as many generic

1 issues as possible such that when we do file 11  
2 tariffs hopefully by May 1, the issues that will need  
3 to be resolved with respect to those individual  
4 tariffs will be minimized to the extent possible.

5 MR. HOWE: Okay. Understood. Thank  
6 you.

7 HEARING OFFICER POPPITI: Thanks, Micah.  
8 Any other issues that we need to discuss today?  
9 Okay. So I'll look for that filing on the timing for  
10 the workshop. That will be great and thanks very  
11 much everyone for being here this afternoon.

12 MR. ELLIS: Thank you.

13 MS. BRENNAN: Thank you.

14 (Adjourned at 1:45 p.m.)  
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C E R T I F I C A T E

I, JoAnn Q. Carson, do hereby certify that I recorded by stenographic means the scheduling conference re: Case Number 23-3604-PET via Go To Meeting on December 5, 2023, beginning at 1:30 p.m.

I further certify that the foregoing testimony was taken by me stenographically and thereafter reduced to typewriting, and the foregoing 11 pages are a transcript of the stenograph notes taken by me of the evidence and the proceedings, to the best of my ability.

I further certify that I am not related to any of the parties thereto or their Counsel, and I am in no way interested in the outcome of said cause.

Dated at Burlington, Vermont, this 5th day of December, 2023.

\_\_\_\_\_  
JoAnn Q. Carson

Court Reporter