

*Attachment to Public Comments  
of Brian Winn*

Dear Chairman Roisman,

You should know that the Department of Public service, under Commissioner June Tierney, serves the interests of Green Mountain Power and not the public. The attached document describes how the Department's participation in Green Mountain Power's recent rate case was a sham. This has been sent to all three PUC Commissioners and to the Free Press, VT Digger and Seven Days. You should not approve a rate increase for Green Mountain power until someone has properly represented the interests of the rate payers.

More importantly, Green Mountain Power has filed a multi-year alternative regulation plan which is extremely favorable to them at the expense of the rate payers. Liz Miller, who used to be Commissioner and signed off on the last very generous alternative regulation multi-year plan, is now representing Green Mountain Power in the new case.

Since Commissioner Tierney is biased in favor of Green Mountain Power, there is no one representing the interest of ratepayers.

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The most recent Green Mountain Power Rate case pending before the PUC was a sham orchestrated by Mary Powell and June Tierney. Please see the following facts:

- ① • Green Mountain Power presented the case as a 5.45% percent increase that was offset by a credit associated with the recent Trump tax breaks for corporations.
- ② • Green Mountain Power used an accounting gimmick associated with three "microgrid" projects and shortened the rate year to nine months in order to make it appear that there was no rate increase.
- ③ • The actual rate increase that will be in effect after the tax credit expires will be at least 8%.
- ④ • Commissioner Tierney communicated to her senior staff that she would settle the case after the end of hearings – after the election. This occurred prior to the PUC even putting out a schedule for the case – mid summer.
- ⑤ • The attorney assigned to the case was also assigned to the Vermont Gas Rate Case, The Burlington Telecom case, the Green Mountain Power alternative regulation plan and other cases. This is not normal and resulted in the attorney not being able to pay enough attention to the Green Mountain Power Rate Case.
- ⑥ • The Department staff was prohibited by the Commissioner from pursuing prudence claims against Green Mountain Power and was even told not to use the word imprudence in testimony unless it was clear that we were not referring to the company's actions.
- ⑦ • Commissioner Tierney prevented the Department from using the Larkin & Associates expert normally employed to assist with these cases. The expert has a solid track record of achieving multi-million dollar reductions in Green Mountain Power rate increase requests.
- ⑧ • The new consultants, who were very capable, were not given access to the case materials until one week before the first round of discovery questions were to be submitted to Green Mountain Power. This is two months later than normal.
- ⑨ • As a result of the change in consultants, the normal on-site document reviews and other aspects of normal rate case due diligence were not performed for this case.
- ⑩ • Instead of unlimited or rolling discovery (as was done in the past) the Department agreed to only two rounds of discovery. The scheduled time for witnesses to review documents and write testimony was reduced by several weeks.
- ⑪ • Commissioner Tierney on multiple occasions altered Department witness testimony to remove information that would have been embarrassing to Green Mountain Power. This included removing recommendations about clearly uneconomic and risky investments and a proposed executive bonus plan disallowance that would have saved the ratepayers money.
- ⑫ • During the course of the case the Commissioner orchestrated a settlement associated with the clearly uneconomic "microgrid" projects.
- ⑬ • In the final weeks before technical hearings, the Department attorney's, at the direction of the Commissioner, quietly took various reductions recommended by the Department witnesses off the table.
- ⑭ • The Finance Director, Brian Winn, and the Commissioner repeatedly clashed about the approach to the case in internal Department meetings. He was quietly dismissed the day after he completed his final testimony for the case at a hearing before the PUC.
- ⑮ • With almost all the major issues settled, the final Department recommendation to the PUC only proposed to reduce Green Mountain Power's rate increase by less than \$1 million and was a sham.