

Brian E. Winn
Colchester, VT 05446

December 4, 2018

Judith Whitney, Clerk
Vermont Public Utility Commission
112 State Street, Montpelier, VT 05620

RE: Case number 18-0974, 18-1633 and 17-5003. Public Comments of Brian Winn, Former Director of Finance & Economics, Vermont Department of Public Service.

Dear Ms. Whitney,

In prior comments I indicated that I had documentation that supported my comments on the allegations contained in the Anonymous Letter posted by the PUC on November 19, 2018. The Department asserted that these documents were covered by privilege, so I held off on uploading those documents while I determined my next course of action. Yesterday I was notified that the Department has waived privilege and further indicated that they will make a large portion of the case documentation public.

For most of 2018 I, along with many of my Department colleagues, have been working long hours, jumping from task to task, just trying to get through the work involved in supporting a very large case load, without adequate staff or funding. In the process, I have gained a profound respect for my colleagues at the Department, many of whom have chosen to make a career of public service.

I have been concerned, for quite a while, that the cumulative impact of many decisions taken by Commissioner Tierney with respect to the GMP case have resulted in the rate payer's interests not being adequately represented. The recent statement by the Commissioner that her Department witnesses were free to disagree with her, in their testimony, is just not true. Even if true, as an "at will" employee, that option was not available to me for all practical purposes.

The publication of the anonymous letter forced me to decide whether I should remain silent. Having been recently let go by the Commissioner, I decided to join the conversation by submitting public comments to the PUC. In the process I have been very careful to follow the rules.

People I trust have advised me to seek legal counsel before continuing to provide any additional documentation. That is an expense that I do not wish to incur. Because the letter's exchanged between myself and the Department have been posted in ePUC, the PUC is aware of the existence of the supporting documents and can request them from the Department if they desire.

I have been reluctant to draw attention to myself and do not desire to engage in an extended public battle with the Department. The fact that the Department has indicated that they will make a large portion of the documentation public is encouraging. I will wait and see what they release before I decide whether to make any additional public comments. Be assured, that if I believe that the Department has misrepresented the facts in the process of releasing the documents, I will not hesitate to come forth again.

It is my hope that the Governor and the Legislature will make the structural changes to the Department, and provide the needed funding, to ensure that rate payer interests are protected. I sincerely wish my former colleagues at the Department of Public Service all the best.

Sincerely

Brian E. Winn