

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

CASE NO. 18-3810-INV

INVESTIGATION INTO RENEWABLE
ENERGY STANDARD RULEMAKING

December 10, 2018
1:30 p.m.

112 State Street
Montpelier, Vermont

Workshop held before the Vermont Public
Utility Commission, at the Susan M. Hudson Conference
Room, People's United Bank Building, 112 State Street,
Montpelier, Vermont, on December 10, 2018, beginning at
1:30 p.m.

P R E S E N T

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Matt Rutherford, Town of Stowe Electric Department
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Lisa Morris, VEC
Keith Levenson, DPS
Billy Coster, ANR
Maria Fischer, DPS
Allison Bates Wannop, DPS
Matt Cota, Vermont Fuel Dealers Assoc.
Ed McNamara, DPS
Dave Westman, VEIC

1 MS. SCHILLING: So good afternoon.
2 This is the workshop in Case No. 18-3810-INV,
3 investigation into Renewable Energy Standard
4 rulemaking.

5 My name is Elizabeth Schilling. I'm
6 staff attorney and hearing officer with the
7 commission, and with me today is Tom Knauer who is
8 the policy director for the commission.

9 Just because I'm new and still learning
10 names and faces, if folks could go around the room
11 and just introduce themselves. We can start with
12 folks at the table.

13 MS. MARGOLIS: Anne Margolis with the
14 Department of Public Service.

15 MS. LAUNDER: Kelly Launder, Department
16 of Public Service.

17 MS. RICHARDS: Patty Richards,
18 Washington Electric Co-op.

19 MS. LEVINE: Sandra Levine,
20 Conservation Law Foundation.

21 MS. BAILEY: Melissa Bailey, Vermont
22 Public Power Supply Authority and Burlington Electric
23 Department.

24 MR. GIBBONS: Same. I'm not Melissa
25 Bailey. It's been a long day. James Gibbons,

1 Burlington Electric Department and Vermont Public
2 Power Supply Authority.

3 MR. RUTHERFORD: Matt Rutherford, Town
4 of Stowe Electric Department.

5 MR. TURK: Graham Turk, Green Mountain
6 Power.

7 MR. ALBRECHT: Ray Albrecht, National
8 Biodiesel Board.

9 MR. LANDIS-MARINELLO: Kyle
10 Landis-Marinello with the commission.

11 MS. WIDMAYER: Amber Widmayer, MMR.

12 MR. FOY: Phil Foy, Encore Renewable
13 Energy.

14 MR. WILLIAMS: Tucker Williams, Vermont
15 Electric.

16 MR. LAZORCHAK: Michael Lazorchak,
17 Renewable Energy Vermont.

18 MR. STOKER: Nick Stoker, Skyview
19 Ventures.

20 MS. HUMPHREY: Melinda Humphrey, GMP.

21 MS. ANDERSON: Carolyn Anderson, Green
22 Mountain Power

23 MR. MONDER: Jeff Monder, Green
24 Mountain Power.

25 MR. POWELL: Bill Powell, Washington

1 Co-op.

2 MR. BRABANT: John Brabant, Vermonters
3 for a Clean Environment.

4 MS. MORRIS: Lisa Morris, Vermont
5 Electric Co-op.

6 MR. LEVENSON: Keith Levenson from the
7 Department.

8 MR. COSTER: Billy Coster, Agency of
9 Natural Resources.

10 MS. FISCHER: Maria Fischer with the
11 Department.

12 MS. SCHILLING: Thank you. So the
13 primary purpose of today's workshop is to discuss
14 potential changes and improvements to the current
15 processes and provisions for implementing the
16 Renewable Energy Standard just currently administered
17 through two orders that were issued in 2016 in Docket
18 8550.

19 My hope for today is to keep things
20 fairly high level but identifying some of the general
21 issues that stakeholders have identified for
22 improvements as well as ideas for different proposals
23 that stakeholders may have for making improvements.

24 I would also like to lay out some dates
25 for next steps as well as a general schedule for this

1 pre-formal rulemaking process. So the only comments
2 that we had issued or filed for today's workshop, we
3 had some from the Department. We also had some
4 comments from William F. Scully who I don't believe
5 is here today, but maybe we could just start with
6 going through the Department's comments.

7 Is the Department prepared to just kind
8 of walk through the issues that you all identified?

9 MS. MARGOLIS: Yeah. Anne Margolis
10 with the Department of Public Service. Give a little
11 disclaimer to start with. We have said farewell to
12 our lead attorney as well as our at least Tiers I and
13 II staff person on the Renewable Energy Standard. So
14 if we are either repetitive of points we have made
15 before that folks have wanted to move on from, or we
16 say something different from what we have said
17 before, we are rebuilding our institutional knowledge
18 base here, the RES.

19 So we filed some fairly high level
20 short comments. I'll go through all tiers and Tiers
21 I and II and pass it over to my colleague, Kelly,
22 for Tier III. So for all tiers, with respect to the
23 compliance filings, it's our experience that it would
24 be helpful to have a consistent template for our use
25 when we are looking through the compliance filings to

1 make our recommendations to the commission.

2 We are happy to provide a list of the
3 fields that we think would be useful in that
4 compliance filing. I think you probably don't want
5 to get into that at this point.

6 MS. SCHILLING: Well we could just talk
7 a little bit about it. So we have the banking
8 spreadsheet, so basically you're proposing to build
9 off of the current Renewable Energy Standard banking
10 spreadsheet for purposes of showing compliance with
11 all of the tiers.

12 MS. MARGOLIS: Right. It could all be
13 put into one larger document.

14 MS. SCHILLING: In one document. Yeah.

15 MS. MARGOLIS: As I understand it, a
16 fair amount of effort was put into coming up with the
17 banking template. And we could just build upon that
18 effort. That resulted in a clear product.

19 MS. SCHILLING: I think that makes
20 sense. And I think it would be helpful to provide
21 both the list of different metrics that you would
22 want to include in the spreadsheet, and then also an
23 actual template, because sometimes in producing a
24 template you realize things that you want to include
25 that you might not if you're just putting it in a

1 list format. So seeing both would be helpful.
2 Obviously, the list is most helpful for the
3 rulemaking, but making sure that we have everything
4 including the template is helpful too.

5 MS. MARGOLIS: We don't want to suggest
6 that we are the sole brains behind the template.

7 MS. SCHILLING: Of course.

8 MS. MARGOLIS: We would love to work
9 with the utilities and other stakeholders to, maybe
10 off line or whatever the commission would like,
11 however you would like to see that process unfold
12 before submitting something too.

13 MS. SCHILLING: Okay.

14 MS. MARGOLIS: Anything to add?
15 Looking back here at Maria Fischer who is one of our
16 experts here on Tiers I and II. Should we move on?

17 MS. SCHILLING: Sure.

18 MS. MARGOLIS: Okay. The other area
19 that we wanted to just queue up for discussion either
20 today or ideally at some future set of workshops,
21 would be accounting for external imports,
22 particularly from Hydro-Quebec and New York Power
23 Authority. In previous comments, we I think were
24 hopeful that there would be some resolution with
25 respect to some improvements in NEPOOL GIS to

1 actually account for specific units and also some
2 sort of corresponding way for the New York Gas System
3 to talk to the NEPOOL GIS system to record specific
4 units. But despite some, I think, promising
5 conversations in that regard, and some sort of verbal
6 commitments at least on the part of the New York --
7 folks in New York, nothing concrete has materialized.

8 I think the Department would like to go
9 off and do a little bit more work to see if we can,
10 you know, finally say that our efforts have come to
11 naught or otherwise we can actually say something
12 concrete and have some sort of documentation behind
13 it.

14 But we think there is more room for
15 clarity and eliminating any risk of double counting
16 if we, working with the utilities, could go off and
17 do some more work in that regard.

18 MS. SCHILLING: Okay. Do you want to
19 add anything? No. Okay. Were you able to look at
20 the comments submitted by William Scully?

21 MS. MARGOLIS: I did a quick overview.
22 I was on a call. I couldn't digest them. But I
23 think it reinforces a need to put a little bit more
24 effort there.

25 MR. McNAMARA: The only response, too,

1 I took a very quick look at Mr. Scully's comments.
2 And those were mostly focused on capacity, and here
3 we are only talking about energy, so I'm thinking it
4 might be a little bit the comments talking past what
5 the requirements are here, but it's something that we
6 will look into more.

7 MS. SCHILLING: Okay.

8 MS. MARGOLIS: So I think that's it for
9 Tiers I and II. And then all tiers. Pass it along
10 to Kelly.

11 MS. RICHARDS: Can I ask a question?
12 Did the Department identify deficiencies in the last
13 round in the process of how we reported? Were there
14 problems with what happened last?

15 MS. MARGOLIS: I'm going to actually
16 maybe look to Maria, if you don't mind. I don't know
17 if there were problems so much as maybe a lack of
18 clarity or a template would have made -- you're
19 talking about the template?

20 MS. RICHARDS: The reporting for HQ and
21 NYPA.

22 MS. MARGOLIS: I think there was maybe
23 some inconsistencies in sort of the documentation
24 that was provided utility to utility and having that
25 be more consistent would be helpful.

1 MS. FISCHER: Yeah. I think ideally
2 everybody would -- it would benefit everybody if
3 there just were RECs associated with it and GIS
4 account -- it would be helpful if RECs actually
5 showed up in the NEPOOL GIS rather than New York
6 system mix attributes.

7 MR. GIBBONS: James Gibbons, Burlington
8 Electric Department and VPPSA. The issue is that the
9 New York system mix attributes that come through
10 aren't necessarily attributable to NYPA. They could
11 be any form of import, so you can't just look at
12 those and say those are Vermont Tier I. You need
13 something to match against those imports.

14 Now granted, the DPS has the volumes of
15 NYPA that all the utilities get. But it doesn't show
16 up in the GIS as an unambiguous NYPA REC.

17 MS. SCHILLING: Right.

18 MR. McNAMARA: And just -- sorry --
19 just to follow up further on that, my understanding
20 is NYPA, or sorry, New York Gas actually allows for
21 unit specific. Something that did not -- was not
22 occurring back in 2015, 2016 when we first had the
23 discussion. So because you can assign specific RECs
24 to specific units, in the Department's mind it would
25 be useful to actually have that as Maria was saying.

1 So we just want to work with the utilities.

2 Just for clarity, the Department is the
3 contracting party with NYPA, so we would be happy to
4 work with the utilities and NYPA and New York Gas to
5 try to sort this out.

6 MR. GIBBONS: To be clear, he's
7 absolutely correct. You could have a New York system
8 mix came in that was related to simply a bilateral
9 contract that was imported in New England. Without
10 attaching those attributes, you guys cannot tell that
11 that New York system mix was attributable to NYPA.
12 That's my point.

13 MR. McNAMARA: Yes. Thank you.

14 MS. SCHILLING: Move on to Tier III?

15 MS. LAUNDER: Sure. Our comments about
16 the Tier III component were along the same vein as
17 all tiers of having more consistency for
18 comparability. So the first one is just about having
19 some kind of consistent definition and practice for
20 defining and calculating administrative costs. So we
21 are all talking about the same thing. And the same
22 thing for our annual plans, having some kind of
23 consistent summary table to be able to easily compare
24 them to each other.

25 There was some utilities that had

1 really nice -- like Vermont Electric Co-op had a nice
2 summary table that made it really helpful to quickly
3 see what was an overview of the plan. So we are
4 happy to, again, kind of list out the list of things.

5 I don't know, though, probably be good
6 to have some discussion about how prescriptive the
7 rules should be. It may just be that the rule says
8 that the PUC should come up with a summary table and
9 the table is not actually put in the rule. I don't
10 know if we want to be changing rules every time you
11 add or subtract a component. So that's something to
12 think about. But we do think some consistency there
13 would be helpful.

14 MS. SCHILLING: We can include some
15 minimum provisions to be included in the summary
16 table and the rule, something along those lines.

17 MR. KNAUER: I know in other rules, for
18 example, the Energy Efficiency Charge rule, there is
19 language, you know, using the form adopted by the
20 Department for this purpose.

21 MS. LAUNDER: Right. Something like
22 that would be fine. And then the other part of our
23 annual plan comments was about having the commission
24 actually approve plans.

25 During the workshop process for Tier

1 III it was specifically suggested that the commission
2 not approve plans. But the Department is asking that
3 that be changed to specifically have the authority
4 for the PUC to reject plans if they are not complete.
5 We saw a lot of different components that were
6 supposed to be included in annual plans that weren't.
7 And we thought maybe having that approval process, we
8 don't think the process itself would be different,
9 but just having that clear authority to reject them
10 if not complete would be helpful.

11 MS. SCHILLING: Follow up on the
12 Department's proposal?

13 MR. GIBBONS: Certainly I have no
14 particular interest in an approval process around my
15 Tier III plan this early in the Tier III process. We
16 are trying to figure these things out. Any form of
17 -- any kind of loan approval process is going to be
18 very inconvenient. We are needing to figure out our
19 programs, change them, redesign them. You have seen
20 a change in our EV program. You put a 30-day comment
21 window at this point where you can object to the
22 programs, the plans, the changes, I think that's
23 adequate in my opinion.

24 MS. RICHARDS: Washington Electric
25 Co-op would support comments made by Burlington

1 Electric Department. That would be an added layer of
2 delay potentially, and rather than run programs, we
3 would be caught up in reviewing plans. And I'm not
4 sure the turnaround -- how quick it would be through
5 the PUC process -- to turn around approvals of annual
6 plans.

7 MS. BAILEY: On behalf of VPPSA and
8 BED, I think I would also just throw in that it adds
9 complexity around changes to the annual plan rate.
10 The current rule -- sorry, PUC order -- calls for a
11 30-day notice to PUC and the Department for changes
12 to the annual plan. And I'm uncertain whether this
13 would require them to get approval of changes, and
14 that can certainly slow down implementation. And we
15 are not entirely clear what this proposal gets us,
16 what the problem we are trying to solve here with the
17 Department's proposal is.

18 MS. LAUNDER: Again, we don't think
19 there needs to be additional process. The process we
20 have gone through is the same process we go through
21 for the EEU approval plan, so it doesn't seem like
22 the process needs to be lengthened. We would just
23 like to see some more clear authority about approval
24 or rejection of plans. We don't think it needs to
25 add to the process whatsoever.

1 And there is no -- there is the same
2 kind of 30-day notice for changes to the EEU annual
3 plans as well. I don't think we are requiring any
4 additional process there for changes.

5 MR. KNAUER: Kelly, I have a clarifying
6 question. Is the purpose of the PUC's approval to
7 say you've met the minimum statutory requirements?
8 Or is it to say we really like your plan?

9 MS. LAUNDER: I think the former than
10 the latter.

11 MS. SCHILLING: Are you looking for
12 something where the commission would be directing
13 utilities to correct any deficiencies in the plan?

14 MS. LAUNDER: Correct. Yes. I think
15 that would make it clear that the PUC could do that.

16 MS. MORRIS: Lisa Morris, Vermont
17 Electric Co-op. We would echo the concerns that have
18 already been expressed by other utilities about
19 potentially slowing things down. And just wondering
20 right now the way it works is we submit our plans,
21 and then we respond to comments, but we don't
22 necessarily file amendments to a plan based on those
23 comments. And if there were comments to the effect
24 that something is missing from the plan, I know VEC
25 would be happy to file an amended plan after the

1 fact, and maybe that could be a midway point between
2 what we are doing right now and a formal approval
3 process from the commission.

4 MR. GIBBONS: I'm curious. Do you
5 think that the PUC couldn't make those kinds of
6 comments absent your change?

7 MS. LAUNDER: I think it just makes it
8 clear.

9 MS. LEVINE: Can I just ask a question?
10 Does the approval process the Department is looking
11 for, do you see an interplay between that and how
12 spending or investments are treated in rate cases?

13 MS. LAUNDER: I'm not clear what you're
14 --

15 MS. LEVINE: Does it affect whether
16 something can be determined to be prudent or
17 imprudent later on?

18 MR. McNAMARA: So I'll get to that. I
19 just want to back up a little bit. In response to,
20 Tom, what you had said, I think from the Department's
21 perspective it would be really helpful to have the
22 PUC saying, yes, this complies with the statutory
23 requirements of RES, this plan. That's one of the
24 primary functions.

25 With respect to your question, I think

1 there is PUC precedent that's pretty clear about you
2 can have, for example, a Certificate of Public Good
3 for a generation project built by a utility. That
4 does not mean it's automatically prudent. It makes
5 it a little bit higher burden to challenge during a
6 rate case, and I would expect that a clear PUC
7 approval could at least go a decent way towards some
8 similar precedent.

9 MS. RICHARDS: Question for the
10 Department. If we get on the same page relative to a
11 template for the annual plan, we all know exactly
12 what the filing structure would be, would that help
13 to avoid a PUC process of an extra layer of approval?
14 If we know what the boxes are to check and fill out,
15 I think it makes it a lot simpler.

16 MS. LAUNDER: I think that's a piece of
17 it. We have a list now of things that are components
18 that are supposed to be in annual plan, and there was
19 definitely a number of deficits. So we have that
20 list now. And it still doesn't seem like it's being
21 complied with. So it gets us part way there.

22 MS. RICHARDS: Maybe we could agree on
23 that template form. Here's the file the boxes, like
24 a specific template versus a list of things, then it
25 becomes more mechanical for us. It's less likely we

1 would be leaving things out. Just a suggestion.

2 MR. McNAMARA: Well sorry, James. I'm
3 just responding to Patty's point. There is leaving
4 things out, but it can also be, for example, utility
5 could make an assertion that we think this meets the
6 statutory requirement of best practices for load
7 management. And we disagree, and we want the PUC to
8 say is the utility complying with the statute or not.

9 So I understand your point of having
10 the -- something that's not just prescriptive but
11 instead a better filing format would mean that there
12 is less discussion that would need to happen between
13 the Department and the utility, and more clarity as
14 to whether or not we agree collectively whether the
15 proposed plan meets the statutory obligations.

16 But I don't think that necessarily
17 addresses the final concern of if there is a dispute
18 about whether we think the plan's requirements or
19 plan's -- the plan, sorry, meets the statutory
20 obligations, there should be resolution of that. And
21 PUC is obviously the only one who can do it so --

22 MR. GIBBONS: So question for the DPS.
23 The deficiencies and things that you're describing,
24 are those what you communicated today? Or was there
25 another communication on deficiencies with Tier III

1 plans? There were a set of comments today on the
2 Tier III plans. Are those the --

3 MS. LAUNDER: Yes. The comments on the
4 Tier III plans that the Department filed --

5 MR. GIBBONS: Today.

6 MS. LAUNDER: -- that -- yes, that were
7 due today. Sorry. Yeah.

8 MR. GIBBONS: So those are the list of
9 deficiencies.

10 MS. LAUNDER: Yes, they are some of
11 them. They might not be fully comprehensive, but
12 there was a number of them, I guess.

13 MR. GIBBONS: That emphasizes my
14 concern which is 40 days after the filing of the Tier
15 III plan we are hearing the concerns for the first
16 time. It's not setting itself up for a really fast
17 process.

18 MS. LAUNDER: Well I guess I'll qualify
19 given your comment what I said. We didn't include
20 some of the deficiencies that were already brought up
21 at the RES annual plan workshop. So we didn't repeat
22 things that had already been asked at the workshop.

23 MR. McNAMARA: And I would also say,
24 James, that I would think the process would
25 potentially change as well to be more streamlined.

1 I'm not sure that the workshop process is necessarily
2 the best way for looking for approval, that written
3 filings might actually be more appropriate in a
4 sufficient time for the Department to work with
5 utilities and try to sort stuff out, ensuring that
6 there is still a transparent process and everything
7 else.

8 But I'm just saying I understand your
9 concern about timing, but that can be addressed in
10 the process.

11 MS. BAILEY: I just have another
12 question about the parallel with the EEU annual plans
13 and modifications. Specifically I'm concerned about
14 making changes to the annual plans during the year.
15 The EEU changes to their plans require PUC approval.
16 I thought there was some latitude for the efficiency
17 utilities to make changes to their programs that
18 wouldn't trigger the need for affirmative PUC
19 approval.

20 MS. LAUNDER: They do not need approval
21 for a number of the changes, and there is triggers --
22 Dave Westman might be able to speak more specifically
23 to those triggers. And I think it's the same type of
24 thing though that if there is no comments, then they
25 go forward for the ones that they asked for, they are

1 notified changes about.

2 MS. BAILEY: And would you envision the
3 same kind of structure here?

4 MS. LAUNDER: Yeah.

5 MS. BAILEY: Okay.

6 MR. McNAMARA: Another possibility,
7 too, is, for example, if a Petitioner files a CPG
8 under 248, there is a process for changing that
9 petition mid stream. It's spelled out in a rule
10 what's the substantive change, what's not. You could
11 do something in terms of if you propose changes in
12 the dollar amounts versus brand new programs, things
13 like that.

14 So again, this is something that we are
15 not saying like here's the solution, everything's
16 nice and easy. We are saying that we think
17 additional process would be required and approval
18 process would be helpful. And recognize that some
19 things would need to change along with that, and
20 greater clarification would be useful from the
21 Department working with stakeholders.

22 MS. SCHILLING: Are there any follow-up
23 comments or questions or should we move on? So I
24 think we have now gone over the three substantive
25 areas that the Department raised comments about. We

1 could hear from other stakeholders if folks have
2 general topic areas that they would like to see
3 changes in the Renewable Energy Standard.

4 MR. ALBRECHT: So are you opening up
5 the floor?

6 MS. SCHILLING: If folks are ready to.

7 MR. ALBRECHT: Yeah. Again, my name is
8 Ray Albrecht. National Biodiesel Board. I have been
9 coming to these meetings for a number of years since,
10 you know, the early days of the program. And Matt
11 Cota is here. I think most of you know him from the
12 Fuel Dealers Association.

13 We had participated in the original
14 legislative effort however many years back that was
15 in -- at that time it seemed that the intent of the
16 legislature was to have a balanced program that was
17 technology neutral. You know, let all players get
18 out on to the playing field. And specifically in
19 regard to Tier III for energy transformation
20 projects, which is a broadly defined program which
21 from a national perspective, and I get involved with
22 renewable portfolios programs in many, many states.
23 And the Tier III program here really is a -- is very
24 innovative, I think, as a model for the rest of the
25 country.

1 But it seems that since the
2 implementation of the Tier III program that there has
3 been very limited, if any, real interest by, you
4 know, the DUs in implementing non-electric type
5 projects. Okay. And here in Vermont you have a lot
6 of homegrown resources. Not just solid biomass, but
7 also biodiesel which we have discussed on a number of
8 occasions, because there is already quite a business
9 activity going on to collect used cooking oil, and
10 folks have also talked about growing field stock
11 here.

12 So but the point that I'd like the
13 public service folks to focus on during the process
14 how do we increase the level of participation by
15 these technologies that, you know, are probably
16 foreign to the electric utilities, okay, or maybe
17 does not do -- do not directly serve their business
18 interests. I looked at the original legislation,
19 which I've got, you know, right here on my computer,
20 and it says that distribution utilities, when they
21 are supposed to look at the economic energy,
22 whatever, benefits of the measures that they are
23 proposing, but if those measures increase the use of
24 electricity that they are specifically required to
25 look at alternate measures that are non-

1 electrification measures.

2 In other words, utility wants to look
3 at EVs and heat pumps and whatever, that at the same
4 time in that analysis they are supposed to look at
5 the non-electric measures. That's in the statute.
6 Okay. And it does not seem that that has happened.
7 That's a circuit breaker mechanism, you know, to keep
8 a lid on the cost of the program and I think is a way
9 of fulfilling the original intent to -- for this to
10 be a broad-based program for all Vermonters.

11 All right. So I guess, you know,
12 that's, you know, I would hope that you folks could,
13 you know, address that in greater detail. Matt,
14 would you like to follow up on that?

15 MR. COTA: Matt Cota with VFD on behalf
16 of the companies -- unregulated companies that
17 provide fuel and heating services some of which are
18 renewable. We have had lovely conversations with
19 utilities regarding ways that we could collaborate,
20 but there hasn't been a deal. So a question that I
21 often get asked by those that sell renewable energy
22 and sell services that produce fossil fuel
23 consumption in line with Tier III goals is how can we
24 be part of this process. And if the answer is
25 nothing, the utilities get to decide, and if they

1 want to not include us, then that's their right, I
2 would like to hear that.

3 Right now we have had very nice
4 conversations, but we don't have a method of which to
5 petition certain renewable energy product or service
6 that reduces fossil fuels before the PUC other than
7 having coffee with the utilities. We would like to
8 get in on the action.

9 MR. GIBBONS: James Gibbons, Burlington
10 Electric. Sounds like you were unaware that we ran a
11 reverse RFP with an open solicitation for anybody
12 wanting to propose Tier III measures? Did you know
13 about that?

14 MR. COTA: I did not know about that.

15 MR. GIBBONS: Apparently the press
16 releases and everything we have done on that did not
17 work. We got no responses from anybody. Period.

18 We had an open RFP for any measures to
19 meet Tier III. We would consider anything proposed
20 on essentially a cost bid basis, and we got zero
21 replies. We were attempting to reissue that RFP, but
22 I'm kind of surprised if you say you've had the
23 engagements you have that you were completely unaware
24 that we proposed the reverse RFP and ran it this
25 year.

1 MR. COTA: Completely unaware. I'll
2 give you my business card after.

3 MR. ALBRECHT: Can you disclose your
4 mailing list that you used?

5 MR. GIBBONS: We did a press release in
6 the Free Press. We tried to make it as -- it was
7 open to everybody. We didn't use an internal mailing
8 list of people. We were literally trying to solicit
9 any measure or program we considered programs as
10 well, presented as a program, from any source to meet
11 Tier III, and we got no replies.

12 MR. COTA: Well to be fair to BED, we
13 have been in your office discussing ways of
14 collaboration, but they haven't materialized in
15 anything after that.

16 MR. GIBBONS: Well they materialized in
17 the reverse RFP which no one replied to.

18 MR. ALBRECHT: New York State -- New
19 York State Public Service Commission generally when
20 there are informal types of activities going on that
21 would benefit from, you know, greater dissemination,
22 they open up dockets, okay. Formal matters. Okay.
23 And then those can be conduits for disseminating
24 information. Okay. That will help the broader
25 process. So that might be something that you could

1 do here.

2 MS. SCHILLING: Just a follow-up
3 question to you. So there is a process for prior
4 approval of the energy transformation projects. And
5 one of the provisions allows that if a DU is not
6 immediately sponsoring a project, the project can
7 approach the Department, so it says: For potential
8 energy transformation projects that are not
9 immediately sponsored in the TAG by a DU -- for those
10 potential energy transformation projects that are not
11 immediately sponsored in the TAG, T-A-G, by a DU, a
12 project proponent may present its project to the
13 Department for an initial review. If the Department
14 concludes that the project may be viable as an energy
15 transformation project, the Department may share its
16 review and conclusions with the DUs to determine
17 whether to pursue full evaluation of the project
18 through the TAG.

19 I was just wondering if you all have
20 had any discussions with the Department about any
21 particular projects with the Department through that
22 process.

23 MR. ALBRECHT: Yeah. Although the
24 language I think you just read related back to the
25 spreadsheet that VEIC put together, this was what a

1 couple years back now? With all the measures. And
2 this language, I think, was applicable to folks who
3 had technologies that they were trying to get on the
4 spreadsheet so to speak.

5 In other words have them be technically
6 evaluated. I think the issue that we are looking
7 here has been, okay, so there is a list of measures
8 on the VEIC spreadsheet, you know, which includes
9 heat pumps and biodiesel, solid biomass, pellet
10 boilers. We went through the usual list of suspects,
11 okay.

12 So the question here then is
13 implementation by the utilities. So I think your
14 statement is well taken that you made an effort.
15 Okay. And for some reason we just did not connect.
16 So I guess the other half of that question would be
17 then, Green Mountain Power, maybe Matt can speak to
18 that in terms of discussions that have taken place.

19 MR. LEVENSON: Just to clarify, there
20 are several biofuel projects that have been or
21 measures that have been characterized through the TAG
22 process. So they are available. To my knowledge
23 it's been minimal uptake, if any.

24 MR. ALBRECHT: Right.

25 MR. COTA: We have had -- Matt Cota

1 again from VFD. We have had several conversations
2 with Green Mountain Power. They are very much
3 interested in what we might be able to collaborate
4 on. It's just getting to that -- over that hurdle,
5 and I don't know how that happens outside of a PUC
6 meeting or outside of a formal -- if it happens
7 through an RFP process, if that's the best scenario,
8 is the only scenario we have, that's the one we will
9 take.

10 But right now they are just
11 discussions. They are helpful discussions, they are
12 promising discussions, but for an unregulated seller
13 of renewable fuel, it's unclear how to now get into
14 the Tier III market without essentially developing a
15 collaboration. If it's through answering an RFP and
16 being accepted by the utility, okay. But does the
17 PUC or the Department have any say in whether or not
18 they accept that RFP? I think the answer is no.

19 MR. GIBBONS: I think the answer is no
20 as well. But James Gibbons from BED.

21 The only other thing I would offer for
22 the commission's consideration too is staffing is
23 finite. We can only run -- this is one program, we
24 can only spool up so many programs so fast. And the
25 RFP was our particular attempt to find out what

1 programs were going to be missing that might be
2 practical to spool up. That doesn't mean every
3 single thing that was brought forward to us was going
4 to get spooled up at the same time. We literally
5 have a certain number of bodies. We wanted to see if
6 there was something particularly economic or
7 beneficial or high impact that we were unaware of.

8 Obviously, in this case, we would share
9 that information with anyone who asked for it.
10 General rule. Not -- confidential responses aside.
11 If we thought there was a type of measure that we
12 had seen in an RFP, we would share that with the
13 other utilities as a matter of course.

14 MS. SCHILLING: Follow up questions or
15 comments on the issues we have been discussing? Do
16 others have general comments that they would like to
17 make today or issues to be raised?

18 I guess we could move to talking about
19 schedule for follow-up comments and future workshops.
20 So the Department proposed a high level schedule of
21 having a draft rule by April 1 of 2019, and then some
22 additional workshops. So a workshop in January and
23 then maybe again in late February or early March, and
24 then workshops following an April 1 draft rule
25 issuance.

1 I think it would also be helpful to set
2 a date for folks to file follow-up comments to what
3 was discussed today and for the Department to provide
4 further elaboration on some of the things that you
5 all suggested. Would Friday, January 18th, be a
6 workable date for follow-up comments to today's
7 workshop?

8 MR. GIBBONS: What was the date?

9 MS. SCHILLING: Friday, January 18th.
10 So a little more than a month. It's the holidays, so
11 if people are going to be out.

12 MR. GIBBONS: Would it help for us to
13 share the RFI? I did just pull it up real quickly.
14 The headline is: Burlington Electric issues RFI for
15 new programs and projects to help reduce or eliminate
16 fossil fuel consumption, launches new web tool for
17 customers, businesses, non profits for BED's Tier III
18 electrification issuance.

19 I mean, like I say, we were trying to
20 be interactive, you know.

21 MS. SCHILLING: Sure. If you would
22 like to file that. Sure.

23 MR. GIBBONS: And there was a tool
24 where you could enter things into, and there was an
25 RFP document as well or an RFI document as well.

1 MS. SCHILLING: If you could share
2 that, that would be great.

3 MR. GIBBONS: Yeah.

4 MS. SCHILLING: So Friday, January 18.

5 MS. MARGOLIS: That works for us. Yes.

6 MS. SCHILLING: We will set that as a
7 date for folks to file follow-up comments and
8 proposals to today's workshop. So should we go
9 through in more detail on what you all are filing, or
10 do you feel like you have a sense of --

11 MS. MARGOLIS: What you would like from
12 us? As much clarity as you would like to provide to
13 us, that would be helpful.

14 MS. SCHILLING: Okay. So I can outline
15 that in a follow-up memo to be issued after this
16 workshop.

17 MS. MARGOLIS: Thank you.

18 MS. SCHILLING: And then for the next
19 workshop which will be following up to those comments
20 on Friday, January 18th, I'm thinking of scheduling
21 something the last week of January or first week of
22 February. I don't know if we need to set that date
23 in this meeting today, but I can look at the schedule
24 and include a date for that in the memo that I'll
25 issue after this workshop.

1 And I think the Department's proposal
2 of having a draft rule by Monday, April 1, I think
3 that's correct.

4 MR. GIBBONS: April Fool's Day? No one
5 thinks that's ironic?

6 MS. SCHILLING: We could do Tuesday,
7 April 2.

8 MR. GIBBONS: Personally, I'm happier
9 with that.

10 MS. SCHILLING: We may be able to issue
11 something before that, but I think that's a good goal
12 to get a draft rule out there. So we will be aiming
13 for that.

14 MS. ANDERSON: Wondering if there is
15 anyway possible to avoid February 1 for a workshop
16 date, that would be helpful.

17 MS. SCHILLING: Okay. Any other avoid
18 dates? That was actually very helpful.

19 MR. McNAMARA: January 31 would be
20 great to avoid. Thanks.

21 MS. SCHILLING: Okay. Do you have
22 anything further you would like to follow up?

23 MR. KNAUER: Sure. So we have heard
24 some of the Department's proposals on ways that we
25 can improve things, and we have heard from the fuel

1 dealers and the biodiesel board. We have
2 accomplished -- we have gone through the substance of
3 this meeting in about 42 minutes, and that's
4 astounding to me.

5 So I'm taking from that that we have
6 crafted a well-oiled machine, and everyone who has
7 been silent is happy with the way things are going.
8 So if you have concerns, you know, you can raise them
9 now, but be sure to express them to us at some point.

10 MS. SCHILLING: We could also -- we
11 could go through the order section by section if that
12 would be helpful. Or if that's too detailed for
13 today, that's something we could do at a later
14 workshop when we dive into certain issues in more
15 detail.

16 Do folks have any thoughts about that?
17 Ed.

18 MR. McNAMARA: I think one of the
19 issues that I think is going to be difficult is
20 what's appropriately in a rule that once it's in a
21 rule, takes almost -- takes minimum of nine months to
22 actually change. That's why we talked about the idea
23 of some forms, other things, that wouldn't be
24 codified in the rule.

25 As James had mentioned earlier, we are

1 still in the early stages of Tier III. We want to
2 have the general principles enshrined in there, but
3 we don't want to limit flexibility, creativity going
4 forward. So I think the concern I have coming into
5 this workshop, this whole process is sort of what's
6 in a rule. Do you just take the major aspects of
7 what was in the order, plunk them down in there. And
8 how do you signal what should -- what aspects need
9 flexibility, what should be codified.

10 You know, in some ways you could just
11 take portions of your order and just plunk it
12 directly into a rule and be done with the entire
13 process. We are recommending things that we think
14 would be helpful for the overall process. Some of
15 these though we are not recommending that they be in
16 a rule necessarily.

17 MS. SCHILLING: Right.

18 MR. McNAMARA: So that I think is a
19 question -- I'm turning this into a question for the
20 PUC of what kind of -- are you looking for guidance
21 of what you want in the rule? Are you looking for
22 process overall about how RES implementation is
23 going?

24 MS. SCHILLING: I think both. You
25 know, in your comments about compliance filings, for

1 example, you said you could provide a list of
2 additional data for evaluating compliance as well as
3 a template. And while I don't think that the banking
4 spreadsheet or, you know, the template needs to be a
5 part of the rule, we could incorporate components of
6 the list of what needs to be in the spreadsheet into
7 the rule, right? So you -- but we could also make it
8 a not exhaustive list in case there was things that
9 need to be added in the future.

10 So I think including those additional
11 pieces that we want to include in the rule, like
12 being clear on maybe what additional specificity we
13 need in the rule, while also providing some of the
14 guidance-type things like the spreadsheet is helpful.
15 It's also helpful to do those things simultaneously,
16 because then you make sure that the things for actual
17 compliance are accurately reflected in the rule
18 language.

19 So when folks are filing things, you
20 can clarify and we think this needs to be stated more
21 clearly in rule language, or we think that this needs
22 to be a part of guidance, or we just think that this
23 will help the process generally. So --

24 MR. ALBRECHT: Some comments that I
25 have suggested to Matt Cota which I would, you know,

1 surface here is that along the lines of the
2 solicitation that, you know, BED had issued, I think
3 it would be helpful if the distribution utilities did
4 have open solicitations so that everybody can
5 compete. Okay? No matter what technology they might
6 bring to the table. And for the responses to that
7 solicitation to be rank ordered in -- based upon the
8 cost, you know, dollars and cents per megawatthour of
9 savings achieved. Okay?

10 And I think there should be limitations
11 placed upon the distribution utilities in terms of
12 their privilege or ability to cherry pick from that
13 list. In other words, it really should not be a way
14 of developing a list of the cheapest electrification
15 measures. I think they should be -- they should be
16 encouraged or told, you know, by you folks to be
17 technology neutral. Okay?

18 The second thing is that, you know, the
19 electric utility may want to provide their own
20 additional incentives for certain measures above and
21 beyond the dollars that we are talking about in terms
22 of the credits. If that does take place, what, you
23 know, the fundamental issue that many other states
24 have had, you know, to address is the utility funding
25 that might be supplementing projects, is that coming

1 out of the rate base, you know, ratepayer funds? Or
2 are those dollars coming out of shareholder funds?
3 And is that differentiation being done properly.
4 Okay.

5 Because in New York, you know, I think
6 everybody knows there is a lot of abuse of the use of
7 ratepayer funds to support activities that should, in
8 fact, be supported through shareholder funds. So
9 that's, you know, starts to get a little bit
10 complicated. But I think the idea of open
11 solicitations where, you know, the bids are publicly,
12 you know, announced and disseminated I think would be
13 helpful. So --

14 MS. SCHILLING: Thank you.

15 MR. GIBBONS: So a follow up on that
16 point. Burlington Electric is willing to be
17 potentially technologically agnostic but not cost
18 insensitive. We have least-cost planning
19 obligations. We have rate obligations. So the odds
20 if I'm going to issue an RFP and then lottery award
21 is pretty slim. There is going to be a cost
22 component, and there is a cost component in the RFP
23 we issue. That's my response.

24 You made reference without reference to
25 cost. We have an ACP penalty. We are the ones

1 exposed to the obligation under the statute, but we
2 have an obligation to meet our obligations in the
3 least-cost manner possible.

4 MR. ALBRECHT: Right. I think the
5 renewable fuel people are just looking for the
6 opportunity to compete.

7 MR. GIBBONS: My reaction was
8 specifically to something you said without cherry
9 picking the cheapest cost things. I think at some
10 point we are obligated to look for the less expensive
11 way to comply with an obligation.

12 MR. ALBRECHT: I was specifically
13 referring to if you had biomass, electric -- biomass,
14 electric and so forth down the list, where are you
15 going to, you know, can a utility simply select the
16 cheapest electrification measures on the list or
17 ought you to select the cheapest measures regardless
18 of technology? And that's where, I think, some trust
19 building, okay, you know, with verification would be
20 appropriate.

21 MR. COTA: This undermines my own
22 point, but I feel I'm obligated to put it out there.
23 Much like we had an issue with Efficiency Vermont,
24 correct me if I am wrong, and the utilities with
25 regards to credit for heat pumps, we may be in a

1 similar situation with wood pellet boilers given that
2 there is a generous rebate from Efficiency Vermont
3 for wood pellet boilers. If we were to enter into an
4 agreement with a utility for fossil fuel savings per
5 boiler, wood pellet boiler installed, would we be up
6 against the same sort of dynamic that we had? Please
7 tell me I'm wrong.

8 MR. WESTMAN: No, Matt, you're right.
9 It's even more complicated because we are required to
10 offer that by statute.

11 MR. COTA: So we have got that. We
12 have got, of course, high efficiency equipment we can
13 demonstrate reduces fossil fuel consumption, but if
14 there is an incentive for that from Efficiency
15 Vermont, we can't claim it, but if there is not, we
16 can.

17 There is lots of things to be sorted
18 out, which frankly the average heating service
19 provider, heating fuel company, it's a lot of steps.
20 It's a lot of steps. But we think we have something
21 to offer, and that's why we are here today.

22 MS. RICHARDS: I just wanted to add one
23 comment for the record because we are being -- going
24 to be a transcript for the record.

25 There is only one utility in the state

1 that has shareholders. All the other utilities
2 shareholders and the ratepayer are the same. So
3 there is no risk that a co-op can transfer to
4 somebody else. The risk is going to be borne
5 directly by the ratepayer. And certainly every
6 utility is looking at it from a rate base
7 perspective. Washington Electric Co-op has rate
8 increase pressure. We are going to be looking for
9 the cheapest programs we can offer, the best bang for
10 the buck, and what direction the members want to
11 take.

12 Just for the record from a co-op
13 standpoint, our shareholders they are the rate base,
14 and they are the members of the co-op. They are one
15 in the same.

16 MR. ALBRECHT: Yeah. Yeah.

17 MS. RICHARDS: Can't transfer that risk
18 to anybody else.

19 MR. ALBRECHT: I see that happening
20 here in Vermont. You know, in New York State,
21 referring back to the New York Power Authority, which
22 is so heavily steeped in politics in terms of their
23 rate making and how they divvy up their cheap power,
24 I would not expect them to show the same type of
25 behavior that, you know, the smaller entities here

1 would. And I deal with that, you know, all the time.

2 So that's why I come in a little bit
3 jaded in terms of what's driving people's decision
4 making, you know. I mean if it's an investor-owned
5 utility, that's, I think, fairly easy to understand
6 that there are competing interests, multiple driving
7 forces for the decision making. But the smaller, you
8 know, muni type of organizations of which we do have
9 some in New York and then they are scattered across
10 New England, yeah, the decision making is often more
11 home spun and more genuine. So --

12 MR. MONDER: This is Jeff Monder from
13 Green Mountain Power. I would observe that there is
14 a component of the calculation of Tier III
15 megawatthours that creates a challenge for measures
16 that offset fossil fuel without applying
17 electrification. And that is the use of the heat
18 rate in the calculation. Because regardless -- and
19 this impacts not just biofuels, but also
20 weatherization measures, which we had the
21 conversation about in the past as potentially being
22 valuable as an added incentive to cold-climate heat
23 pumps. But what the heat rate does is it uses the
24 grid-based heat rate and creates kind of an
25 assumption of 30 percent efficiency. And that

1 discount of 30 percent efficiency gets applied to
2 measures even if there is no involvement of
3 electrification in the measure.

4 So what it does is it reduces the --
5 well it increases the cost per megawatthour for those
6 types of projects, and it does represent the
7 complication, because you just can't come up with
8 enough value to offset the cost of projects,
9 particularly for weatherization projects, simply
10 because of that discount.

11 MS. SCHILLING: So that's in statute
12 right now, right?

13 MR. MONDER: It is in statute, yeah.

14 MS. SCHILLING: So but I appreciate you
15 raising that today in this rulemaking proceeding. I
16 guess this is something that would need to be raised
17 before the legislature for us to make any changes in
18 this rulemaking proceeding.

19 MR. McNAMARA: So actually agree with
20 Jeff's concern. Recognizing it's in statute. Uses
21 national data rather than New England data. So
22 skewed already.

23 But I'm sorry I should know this, but
24 isn't there also the PUC supposed to do a general
25 review of Tier III or something for the legislature?

1 Is that correct? Or is it just that there is some
2 discussion in 8550 of doing a review.

3 MS. ANDERSON: 2020.

4 MR. McNAMARA: Is that in the docket or
5 the statute?

6 MS. SCHILLING: It's in the docket. So
7 there is a discussion in the 8550 docket of doing a
8 2020 review. Actually, Tom and I were talking
9 earlier today, to the extent we can do as much of
10 that review in this rulemaking proceeding, we think
11 that makes sense. It would certainly be a shame to
12 go through the whole rulemaking process and then in a
13 year, less than a year, decide we need to totally
14 redo the rule.

15 So, yes, to the extent people have
16 things that they think might be appropriate for a
17 2020 review, please raise those things in your
18 comments that you include with your rulemaking
19 comments.

20 MR. McNAMARA: And so from the
21 Department's perspective, I think it would be useful
22 to identify even statutory changes recognizing PUC
23 alone can't do something with that. But to the
24 extent that there could be consensus around issues
25 such as that, that can be presented to the

1 legislature potentially with the PUC would be
2 helpful.

3 MS. SCHILLING: Okay. That sounds
4 good. So if there are any statutory changes, please
5 include those in your comments that are to be
6 submitted by Friday, January 18.

7 MS. HUMPHREY: Melinda Humphrey, Green
8 Mountain Power. We have an -- as we are headed into
9 year two of this, we have some comments about a few
10 things that are on our radar that we haven't had a
11 chance to experience yet. The first being that the
12 banking into year two. So as we head into our report
13 for vintage 2018 RECs, we have some RECs from year
14 one that we have banked and we will be using in
15 vintage '18 which is two year -- year two. And then
16 we will have some newly banked RECs in year two that
17 we'll be then carrying forward. So I do -- I'm
18 anxiously waiting to see what that process will look
19 like when we get a chance to report that, and if it
20 might become a little bit unwieldy for -- if the
21 current spreadsheet is still going to be able to hold
22 up as we move into that. And I don't know if the
23 other DUs are going to be in the same position as us
24 or not.

25 The other piece is that the Tier III

1 plan is due significantly earlier than the end of the
2 vintage delivery year for 2018. One is in February
3 or March, and the other is in August. And so for a
4 utility that's planning to use excess Tier II RECs
5 for the Tier III requirement, that plan is due before
6 those Tier II RECs are fully minted or tangible to
7 use. And so I know it's just a plan, it's still kind
8 of trying to get our head wrapped around if that will
9 cause some difficulty or not.

10 MS. SCHILLING: Your comments about the
11 banking spreadsheet, the Department may be filing a
12 template for all compliance filings, and at that
13 point GMP and the other utilities will be able to
14 review that. And if you think that there would be
15 issues that would become unwieldy, or if you have
16 better ideas for how to structure the spreadsheet,
17 that will be the opportunity to provide that comment.

18 MR. WILLIAMS: Tucker Williams, VEC.
19 Following up on Melinda's comments on the Tier II REC
20 banking, there is a little bit of unclarity
21 surrounding whether or not RECs from the current year
22 can be banked. Some are 2018, for example. We could
23 have met our requirement fully with 2018 RECs as is,
24 using 2017 banked RECs, and then banking the extra
25 2018 RECs that would have otherwise been used.

1 It would be great to get some clarity
2 around what that actual process looks like so that we
3 don't bank more than we should. And if we lose them,
4 effectively if we can't use them at a later year.
5 That wasn't clear. So if --

6 MS. SCHILLING: Sorry. I had a puzzled
7 expression.

8 MR. WILLIAMS: So if you have RECs
9 banked from the previous year, and then you have more
10 than enough RECs from the current year to meet your
11 obligation but you want to use what's already banked
12 and then bank the excess, can that be done? I guess
13 would be to get a clear understanding of --

14 MS. SCHILLING: So the current statute
15 and order allow for the RECs to be banked for up to
16 three years. So presumably you could use the banked
17 RECs, bank the RECs from the current year, and then
18 use those within the next three year period.

19 MR. WILLIAMS: Okay.

20 MR. GIBBONS: Try to paraphrase the
21 question. There is no prescribed FIFO, LIFO. It
22 expires and needs to be used before it expires, and
23 as long as that condition hasn't been met, you can
24 use it is how I would have interpreted it.

25 MS. SCHILLING: Agreed.

1 MS. HUMPHREY: Just to follow up with
2 Tucker. I think that was some of our concern is --
3 well in terms of being able to follow it on paper was
4 my concern. And I think a best practice would
5 obviously be to use the oldest first. So that they
6 are rolling off in three years rather than worrying
7 about which -- having 2018's and using all 2018 in
8 2018 and then moving to 2017 in year three. You've
9 got to roll off all the stuff banked first before you
10 can use your new stuff, which keeps pushing stuff
11 down the road. That was my concern of confusion down
12 the road.

13 MS. SCHILLING: So you're suggesting
14 maybe a clarification in the rule that that would be
15 the process of using the oldest first, something like
16 that?

17 MS. HUMPHREY: Perhaps, yeah. And I
18 don't know what it looks like yet. But something in
19 template maybe would be helpful for that.

20 MS. SCHILLING: Okay great. Thank you.

21 MR. GIBBONS: I don't know if I would
22 personally -- I would suggest that I don't
23 necessarily think that's necessary. It's really
24 prudent utility practice to use things that will
25 expire first and hold things later, and I don't

1 really know that you need to prescribe that treatment
2 personally. I mean I'm certainly going to -- unless
3 someone tells me otherwise -- I will be using my 2018
4 RECs before my 2019 RECs.

5 MR. WILLIAMS: I think that's clear to
6 me. I just want to make sure that we can use banked
7 RECs when we already have enough RECs to fully meet
8 our current year. It's not -- it wasn't clear to me
9 that that was the case or was not. So that was what
10 I was looking for. Clarification.

11 MS. SCHILLING: If there is any
12 specific language that is in the order right now
13 that's causing that confusion for you, if you
14 highlight that in a follow-up comment.

15 MR. WILLIAMS: Sure.

16 MS. SCHILLING: Anyone else have issues
17 they would like to raise before we adjourn today?
18 And we are going to have more workshops, so more
19 opportunity to provide comments. And once we have
20 language, it will also make things easier to provide
21 comments. So --

22 MR. ALBRECHT: Thank you for doing
23 this.

24 MS. SCHILLING: Absolutely. Thank you
25 all for participating. So if there is nothing

1 further, we are adjourned.

2 (Whereupon, the proceeding was
3 adjourned at 2:33 p.m.)
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C E R T I F I C A T E

I, Kim U. Sears, do hereby certify that I recorded by stenographic means the Workshop re: Case No. 18-3810-INV, at the Susan M. Hudson Hearing Room, People's United Bank Building, 112 State Street, Montpelier, Vermont, on December 10, 2018, 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 51 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 Williston, Vermont, this 13th day of December, 2018.

A rectangular box containing a handwritten signature in cursive script that reads "Kim U. Sears". The signature is written in dark ink on a light-colored, slightly textured background.

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