

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 19-3167-TF

Investigation into Green Mountain Power)
Corporation's proposed energy storage system)
tariff)

Case No. 19-3537-TF

Green Mountain Power filing for approval of a)
Bring Your Own Device tariff to be effective)
October 31, 2019)

**Green Mountain Power's Interrogatories, Requests to Produce,
and Requests for Admission to the Vermont Department of Public Service**

Pursuant to Public Utility Commission ("PUC" or "Commission") Rules 2.103 and 2.214, and V.R.C.P. 33 and 34, Green Mountain Power ("GMP") serves the following interrogatories and requests for production of documents on the Vermont Department of Public Service ("DPS" or "the Department") to be answered separately and fully under oath by delivering its answers and all requested documents and materials to GMP's counsel on or before December 19, 2019.

Definitions and Instructions

1. Reproduce the request being responded to before the response. GMP requests that parties provide both hard and electronic copies of discovery responses and serve responses to document requests electronically, in lieu of hard copies, when response materials are voluminous. All spreadsheets and computer data should also be provided electronically in a data-searchable format.
2. The response to each request should be made under oath by a person competent to testify concerning the response and all documents and exhibits produced as part of the response. With respect to each request, please state (1) the name(s) and title(s) of the person or persons responsible for preparing the response; and (2) the administrative unit which maintains the records being produced or maintains the data from which the answer was prepared; and (3) the date on which each question was answered.
3. Where information requested is not available in the precise form described in the question or is not available for all years (or other periods or classifications) indicated in a series of years (or other periods or classifications), please provide all information with respect to the subject matter of the question that can be identified in your work papers and files or that is otherwise available.

4. These requests shall be deemed continuing to the full extent permitted by law. You are directed to change, supplement, and correct your answers to conform to all information as it becomes available to you, including the substitution of actual data for estimated data. Responses to requests for information covering a period not entirely in the past (or for which complete actual data are not yet available) should include all actual data available at that time and supplementary data as it becomes available.

5. Wherever responses include estimated information, include an explanation (or reference to a previous explanation) of the methods and calculations used to derive the estimates.

6. Some of GMP's requests may make particular reference to a portion of a filing in this matter. Notwithstanding this specific direction, these items should be understood to seek discovery of all information available to you that is responsive to the questions stated.

7. "Identify," when used in connection with natural person(s) or legal entities, shall mean the full name and current business address of the person or entity. "Identify all relevant documents" requires you to:

- a. State whether there is or was any document(s) which bears upon, discusses, or pertains to the facts or issues to which the interrogatory and the question is addressed;
 - b. Set forth in detail: (i) a description of the nature (i.e., letter, memorandum, etc.) and the exact contents of each such document(s); (ii) the name and address of the author(s), signer(s), recipient(s), and addressee(s) of each said document; (iii) where each said document is located; (iv) the date of each said document; (v) the name and address of the person(s) or other entity having custody, control, or possession of each said document; and (vi) if a document, or copy thereof, is no longer in existence or is no longer in your custody, control, or possession, the name and address of the person(s) or other entity last having custody and/or possession of said document to the best of your knowledge and the reason for it no longer existing or being under your custody, control, or possession.
8. "Identify and set forth the contents of all oral communications" requires you to:
- a. State whether there were any oral communication(s) bearing upon, discussing, or pertaining to facts or issues to which the interrogatory and question is addressed;
 - b. Set forth in detail: (i) the contents of each said oral communication; (ii) where and when each said oral communication occurred; (iii) the name and address of each person participating in each or any said communication; (iv) the name and address

of each person present at each or any said communication; and (v) the nature, identity, and location of each and every document which bears upon, discusses, or pertains to each or any said communication, and attach a copy thereof.

9. "Document," as used herein, shall be construed as broadly as possible to include any and all means and media by which information can be recorded, transmitted, stored, retrieved, or memorialized in any form, and shall also include all drafts, versions, or copies which differ in any respect from the original. The term specifically includes and is not limited to written notes and communications such as reports, workpapers, handwritten notes, spreadsheet, letters, and emails.

10. "DPS" and "Department" means Vermont Department of Public Service.

11. "PUC" and "Commission" means Vermont Public Utility Commission.

12. "ROE" means return on equity.

13. "You" and "your" as used in these interrogatories, means the DPS, each witness who has submitted testimony on behalf of the DPS, and each of their respective agents, employees, contractors, and representatives.

14. Documents produced pursuant to these requests shall be organized and labeled in correspondence with the paragraph number to which they are alleged to respond. With respect to each document produced by the DPS, identify the person who prepared the document and the date on which the document was prepared.

15. If in response to any request for information, the responding party asserts attorney client privilege, attorney work product, or any other privilege, please provide in addition to the basis of the privilege the date of the allegedly privileged communication(s), the identity of all persons who were party to the allegedly privileged communication(s) or who received photocopies of such communication(s), and the subject matter of the allegedly privileged communication.

16. If any interrogatory or request is objected to in whole or in part, please describe the complete legal and factual basis for the objection and respond to all parts of the interrogatory or request to the extent it is not objected to. If an objection is interposed as to any requested documents, please identify the document by author, title, date, and recipient(s), and generally describe the nature and subject matter of the document as well as the complete legal and factual basis for the objection. If any information is withheld on the grounds of privilege, immunity or qualified immunity, trade secrets, including without limitation, the work product doctrine or attorney client privilege, the following information shall be provided in a privilege log: (a) the basis upon which the privilege or protection is claimed; (b) the identity of the person who is the

source of the information; (c) the identity of the person to whom the information has been communicated; (d) whether the information, or any part thereof, is based upon or evidenced by or is contained in any document and the identity of all such documents; and (e) the subject matter of the information and interrogatory to which it responds, sufficient for its identification.

**Green Mountain Power's Interrogatories, Requests to Produce,
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Requests for All Witnesses

- Q.GMP.1-1.** For each witness for whom DPS has submitted testimony:
- a. Please identify and produce all documents prepared by, relied upon, and/or used by each witness, or any persons working for or under the direction of each witness, in connection with their testimony, including, but not limited to, the raw data and other results of any research or work conducted by the person, any notes taken regarding such testimony, and any documents, data, research, field work, or other information generated by any other person which the witness consulted. For any document provided by GMP to DPS, please just identify the document.
 - b. Please identify and produce, in their original format, all electronic files that were utilized or generated to prepare any exhibit or any analysis, images, impressions, conclusions, or statements presented in either their surrebuttal testimony or any associated exhibits.

Questions Regarding Edward McNamara Testimony

- Q.GMP.1-2.** Regarding the Department's recommendation on page 5 of Mr. McNamara's testimony that there be "one tariff that sets a single, unified compensation rate to be paid to participating customers, which is based on the value of peak reduction," please clarify if the Department envisions an upfront incentive, or a pay-for-performance model whereby customers with installed energy storage are compensated only on the actual demand reduction realized during a GMP peak hour?
- Q.GMP.1-3.** Regarding an upfront incentive approach, please:
- a. Explain how the financial risk for non-participating customers is different under this structure compared to the Energy Storage System ("ESS") Tariff lease structure.
 - b. Describe whether and how the Department would propose to recover any upfront incentives in the event that actual performance of an individual customer's system was below the level assumed in the upfront incentive.
 - c. Would the Department require customers to provide a guarantee that they will produce a certain level of battery performance? If so, how? If not, why not?

- d. In the Department's view, what impact would this upfront incentive approach have on the likely adoption rate of battery storage technology by customers compared to GMP's proposed ESS Tariff?
- e. Does the DPS agree usage of battery storage by customers on a shared platform to allow peak reduction and similar grid services should increase? If not, why not?
- f. Does the Department consider a slower battery adoption rate compared to the ESS structure to be a risk for non-participating customers? If so, how did the Department consider this risk? If not, why not?

Q.GMP.1-4. Regarding a pay-for-performance system that only compensates customers for actual demand reduction achieved during GMP's peak hour, please explain:

- a. How the Department would propose to calculate the value of the service provided.
- b. How the Department would propose to return that value to customers and over what period of time (i.e., via bill credit or some other method)?
- c. What level of certainty could be provided to customers up front when they are deciding to purchase a battery regarding the likely scale of this compensation over the life of the battery?
- d. Would the Department agree that in such an approach the rate of compensation should be set and locked for each unit of actual demand reduction achieved up-front at the time of first installation in the pay-for-performance approach? If not, for how long would the price be locked?
- e. Does the Department agree that locking the rate of compensation up-front increases the risk that GMP may ultimately pay participating customers more than the actual value of the service provided over the life of the battery system? If not, why not?
- f. In the Department's view, what impact would this pay-for-performance approach have on the likely adoption rate of battery storage technology by customers compared to GMP's proposed ESS Tariff?

Q.GMP.1-5. Does the Department expect that a single tariff will provide only a single compensation rate, or instead does the Department agree that such a tariff could provide different rates based upon factors such as guarantees, reserved storage provided exclusively for customer usage, and similar factors? Please explain your response.

Q.GMP.1-6. Please identify and produce any information the Department has in its possession and/or reviewed in preparing its testimony, regarding:

- a. The price GMP customers currently pay to energy service companies for the acquisition and installation of battery systems comparable to systems proposed in the ESS Tariff. If the Department is not aware of or did not consider this information please explain why not.
- b. The price GMP customers would likely pay energy service companies under the Department's "unified" tariff program for the installation and acquisition of battery systems comparable to the systems proposed in the ESS Tariff. If the Department is not aware of or did not consider this information please explain why not.
- c. The financing options and terms, if any, that energy service companies offer to Vermont customers associated with any battery storage installations. If the Department is not aware of or did not consider this information please explain why not.
- d. Any guarantees that energy service companies or aggregators offer utilities related to the performance of the battery systems they install. If the Department is not aware of or did not consider this information please explain why not.
- e. The typical margin that energy service companies make when selling battery systems to GMP customers. If the Department is not aware of or did not consider this information please explain why not
- f. Any agreements that energy service companies currently require GMP customers to sign prior to installation of battery storage systems. If the Department is not aware of or did not consider this information please explain why not.

Q.GMP.1-7. With respect to Mr. McNamara's statement on page 5 of his testimony that structural changes to the tariff would "provide more clarity as to the value of the services being provided and the responsibilities of the entities providing these services," please explain:

- a. How the Department's proposed tariff provides more clarity on the value of services provided by batteries?
- b. What specific responsibilities or obligations would the utility have to customers under the Department's proposed tariff approach?
- c. What specific responsibilities or obligations would the energy service companies have to customers under the Department's proposed tariff approach?

- d. What specific responsibilities or obligations would the energy service companies have to the utility under the Department's proposed tariff approach?
 - e. To the extent customers are installing batteries for improved reliability during outages, what obligations will energy service companies assume for assuring this claimed reliability benefit under the Department's proposed tariff approach?
 - f. Under the one tariff approach, does the Department believe any maintenance and warranty issues are a responsibility of the energy service companies or of the utility? Please explain the reasoning.
 - g. What recourse will customers who purchase home batteries for the reliability benefit have against energy service companies if the claimed reliability benefits are not achieved or available under the Department's proposed tariff approach?
 - h. Is the Department proposing that the PUC regulate energy service providers in any manner with respect to claims related to these reliability benefits?
 - i. Under the Department's proposal, is the utility's obligation to provide reliable service to customers with installed batteries any different than the utility's obligation to provide reliable service to customers without batteries? If so how? If not, why not?
 - j. To the extent the batteries do not provide the claimed peak load reduction benefits, what recourse would the customer have against the energy services company?
 - k. To the extent the batteries do not provide the claimed peak load reduction benefits, what recourse would the utility have against the customer?
 - l. To the extent the batteries do not actually provide the claimed peak load reduction benefits, what recourse would the utility have against the energy services company if there is no contractual relationship between the utility and the energy services company?
- Q.GMP.1-8.** Does the Department agree that providing reliable electric service to customers is an inherent utility obligation? If not, please explain why not.
- Q.GMP.1-9.** Does the Department agree that managing utility power costs, including efforts to reduce costs associated with any FCM and RNS costs, is an inherent utility obligation? If not, please explain why not.

Q.GMP.1-10. Does the DPS agree that energy storage service—both for reliability at an installed customer's premises and for grid services—constitutes an electric reliability service for which the utilities maintain an obligation to serve? If not, please explain why not.

Q.GMP.1-11. Based on Mr. McNamara's conclusion on page 8 of his testimony that GMP's estimate of FCM and RNS benefits is reasonable, what incentive rate would the Department propose for its "unified" incentive in year 1 of the program? If DPS has not calculated a proposed rate, please explain why not.

Q.GMP.1-12. Has the Department conducted any financial analysis of its proposed unified tariff approach? If so, please provide a copy of any analysis and all supporting information relied on in developing the analysis.

Q.GMP.1-13. On page 5 of Mr. McNamara's testimony he states that the ESS and BYOD programs "function similarly to a utility power purchase agreement, whereby GMP hedges its risk of wholesale market fluctuations—in this case GMP is hedging against RNS and FCM costs."

- a. In the Department's opinion, how should GMP take into account the presence or absence of a guarantee by energy service companies to provide the level of anticipated RNS or FCM benefits when evaluating options for hedging against these costs?
- b. In the event that GMP can obtain the same level of RNS and FCM at a similar or lower cost via a storage services PPA, and those benefits are guaranteed, is it the Department's opinion that GMP should not offer any residential/individual customer battery system tariffs? Why or why not?

Q.GMP.1-14. Has the Department evaluated or conducted any analysis of the cost of its proposed unified tariff approach compared to other alternatives for achieving similar levels of RNS or FCM benefits? If so, please describe the analysis and produce copies of any workpapers and supporting materials reviewed and relied upon in preparing the analysis.

Q.GMP.1-15. Is the Department proposing an annual cap on the number of installations of energy storage systems under its one tariff proposal? If so, what would be the cap and what is the basis for setting the cap at that level. If not, please explain why not, and produce any analysis prepared of the financial impact of this approach.

Questions Regarding J. Riley Allen Testimony

Q.GMP.1-16. With respect to the work performed for the Department by Energy Futures Group, mentioned on page 3 of Mr. Allen's testimony, please:

- a. Provide a copy of all work prepared by Energy Futures Group related to this docket, including but not limited to any information provided to the Department which was reviewed or relied upon by Department witnesses, or which informed the Department's position in this case.
- b. Please identify each Energy Futures Group staff member working on the contract with the Department related to this docket and provide a copy of the resume for each individual identified.
- c. Please identify and provide a copy of all communications on matters related to this docket between anyone working with Energy Futures Group and (a) Department staff, or (b) any other individual.

Q.GMP.1-17. Regarding the statement on page 3 of Mr. Allen's testimony that "17 states have had to confront a similar set of issues through the transition to retail choice. FERC earlier confronted a similar set of issues in opening-up wholesale markets in earlier stages of reforms."

- a. Please identify and produce all materials reviewed and relied upon to support this statement.
- b. Of the 17 states identified, do any of these proceedings or materials reviewed involve the provision of battery storage technology? If so, please identify which proceedings specifically addressed this issue.
- c. Is the Department aware of any state utility commission proceedings that specifically address the parameters of a utility program to install energy storage devices in customer's homes or businesses? If so, please identify the proceedings and provide any materials reviewed by the Department related to those proceedings.

Q.GMP.1-18. On page 6, Mr. Allen states that "the Commission should allow utilities to continue to participate in the delivery and development of new technologies and services while the marketplace for those services remains nascent and immature," and further states that "[w]hile technologies and services are still in early stages of development and delivery, it may be appropriate to allow utilities to take advantage of their monopoly position to stimulate the development of a beneficial new technology." With respect to these statements, please explain:

- a. What objective criteria Mr. Allen proposes to use for determining when the marketplace for services is "nascent and immature" or is "in the early stages of development and delivery."

- b. If Mr. Allen does not have specific objective criteria for these measures, how does Mr. Allen propose that a decision should be made on when a utility can or cannot offer a particular service within its regulated activities.

Q.GMP.1-19. Mr. Allen states on page 6 that “[t]he framework for [a utility’s] participation should be fair and only confer advantages in price or service delivery that are unrelated to utilities’ delivery of essential services needed by other third-parties for delivery of comparable services.” With respect to this statement, please explain:

- a. What Mr. Allen means by “delivery of essential services needed by other third-parties for delivery of comparable services” in this context.
- b. Please provide examples of such services.

Q.GMP.1-20. Mr. Allen states on page 6 that “the Commission may need to establish and require a more ambitious path to delivery of competitive services once the services are deemed to be a material share of a utility’s cost-of-service, or are material in relation to a reasonably mature market.” With respect to this statement, please explain:

- a. What level of a utility’s cost of service would be “material”?
- b. What level of these services are “material” in relation to a “reasonably mature market”?
- c. How does Mr. Allen define a “reasonably mature market”?

Q.GMP.1-21. With respect to Mr. Allen’s comparison to utility participation in net-metering installations on page 8 of his testimony, does Mr. Allen agree that the proposed ESS and BYOD Tariffs are actually a net cost-reducer for non-participating customers, whereas net-metering solar increases costs for non-participating customers? If not, why not?

Q.GMP.1-22. Does Mr. Allen agree that the design of the ESS Tariff may make battery storage available to a wider number of GMP customers compared to the Department’s unified tariff approach? If not, why not?

Q.GMP.1-23. Mr. Allen references a Regulatory Assistance Project report on page 13 of his testimony and notes potential advantages utilities may have in offering certain services described in the report, including that “[f]or instance utilities can, in effect, draw on other non-participating sources of ratepayer revenue to help reduce the apparent costs of storage for purposes of their own retail service offerings.” Is it the Department’s opinion that this has occurred in GMP’s battery storage pilots or is proposed to occur in GMP’s proposed tariffs? If so, please state how and produce all supporting information.

- Q.GMP.1-24.** In the same Answer 11 on page 13, Mr. Allen also notes utilities “have the ability to price the cost of essential components of service below cost when provided by the utility, but then fully price those components to others.” Is it the Department’s opinion that this has occurred in GMP’s battery storage pilots or is proposed to occur in GMP’s proposed tariffs? If so, please state how and produce all supporting information.
- Q.GMP.1-25.** On page 13, Mr. Allen states that the primary challenge he perceives with storage generally is that “the utility can ascribe value to itself that it may not share (or be able to share with others) such as value associated with avoided bulk transmission and forward capacity market services.” With respect to this statement:
- a. Does Mr. Allen agree that these values (avoided cost of bulk transmission and forward capacity market services) are being provided to customers in GMP’s ESS and BYOD Tariff proposal? If not, please explain why not.
 - b. Does Mr. Allen believe the value provided to customers under the ESS and BYOD for anticipated power supply savings is set at the appropriate level? If not, please explain why not.
- Q.GMP.1-26.** Admit that the GMP Energy Storage System Tariff allows any authorized Tesla installer to participate in the ESS Tariff in the same manner as Tesla. If denied, please explain the basis for the denial.
- Q.GMP.1-27.** Is it the Department’s position that allowing all certified Tesla installers to participate in the EES Tariff does not provide those parties equal access to GMP’s program? Please explain why or why not.
- Q.GMP.1-28.** Does the Department have any information that would indicate GMP’s prior pilots interfered with the development of a competitive market for home battery storage devices in Vermont? If so, please identify the information and produce all supporting materials.
- Q.GMP.1-29.** Does the Department have any information that would indicate GMP’s proposed ESS or BYOD Tariffs will interfere with the development of a competitive market for home battery storage devices in Vermont? If so, please identify the information and produce all supporting materials.
- Q.GMP.1-30.** If batteries installed under the Department’s unified tariff program are aggregated and participate in the frequency regulation market or other ancillary service markets, where does the DPS believe that additional value would flow?
- Q.GMP.1-31.** Please identify and produce any information the Department has, or is aware of, demonstrating the existence of a competitive energy storage market in Vermont prior to GMP’s involvement in this space.

Q.GMP.1-32. Please produce any information the Department has on the number of residential batteries that have been installed in non-GMP territories in Vermont.

Q.GMP.1-33. With respect to Mr. Allen's response to Question 13 in his testimony, please confirm that his position is that the cost and revenues associated with the physical asset should be treated as below-the-line and the costs and revenues associated with incentives and value to ratepayers should be treated as above-the-line.

Q.GMP.1-34. Please specify which costs and revenues are associated with the "physical asset" as that term is used by Mr. Allen on page 16 of his testimony, and which costs and revenues are associated with incentives and values to ratepayers.

Q.GMP.1-35. Regarding Mr. Allen's identification of potential regulatory responses to competitive concerns in response to Question 14 in his testimony:

- a. Is the Department aware of any specific instances in Vermont in which the "structural separation" approach has been recommended by the Department, required by the Commission, or implemented by a utility? If so, please identify the dockets or matters in which this approach has been recommended, required, or used.
- b. Is the Department aware of any specific instances in Vermont in which the "functional separation" approach has been recommended by the Department, required by the Commission, or implemented by a utility? If so, please identify the dockets or matters in which this approach has been recommended, required, or used.
- c. Is the Department aware of instances in Vermont in which the "accounting separation" approach has been recommended by the Department, required by the Commission, or implemented by a utility? If so, please identify the dockets or matters in which this approach has been recommended, required, or used.
- d. Please explain the difference between the terms "functional separation" and "accounting separation" as used by Mr. Allen.

Q.GMP.1-36. Mr. Allen states on page 18 that GMP's BYOD program "establishes a baseline framework for how this [accounting separation] approach could function." Please explain specifically how this BYOD program provides a baseline for the accounting system GMP would be required to set up under the Department's proposal.

Q.GMP.1-37. On page 18 of Mr. Allen's testimony he provides examples of other services that could be considered competitive services, including metering services. Is Mr. Allen aware of any examples in any other jurisdictions where metering services are not considered an

intrinsic component of the regulated utility system? If so, please identify those examples or jurisdictions.

Q.GMP.1-38. Mr. Allen also identifies generation services as a competitive service on page 20 of his testimony. Is the Department suggesting that the Commission use this proceeding to establish criteria that would apply uniformly to all other areas of potentially competitive services including generation services? If so, please explain why this docket is the appropriate forum for that type of determination.

Q.GMP.1-39. With respect to Mr. Allen's Answer 13, please explain the basis for the claim that the ESS and BYOD programs provide "essentially the same benefit."

Q.GMP.1-40. In Answer 17, Mr. Allen states that "providers can help expand the market for these services and deliver value to both participating and non-participating ratepayers that are unlikely to be realized by the utility delivering these services alone." With respect to this statement:

- a. Please explain what Mr. Riley means by "value . . . unlikely to be realized by the utility delivering these services alone."
- b. Does the Department acknowledge that GMP is not proposing to deliver the services outlined in the ESS and BYOD Tariff alone? If not, please explain.
- c. Does the Department agree that the ESS and BYOD Tariffs both provide opportunities for energy services companies to participate? If not, please explain.
- d. Are there any examples related to the proposed battery storage tariffs where the Department believes energy services companies can provide value to both participating and non-participating ratepayers that GMP could not?

Questions Regarding Sean Foley Testimony

Q.GMP.1-41. In Answer 7 of his testimony, Mr. Foley developed a levelized 10-year dispatch value stream for the proposed ESS Tariff. However, due to the one-year delay of realizing FCM benefits, there are only nine years of value included in that analysis. Was that intended in Mr. Foley's analysis or does he agree that under his approach it would be proper to use 11 years for the purpose of FCM calculations?

Q.GMP.1-42. With respect to Mr. Foley's response to Question 5 in his testimony, please clarify if Mr. Foley's concern is related to the use of a Discounted Cash Flow ("DCF") methodology generally, or is specific to the way the DCF methodology was used here?

- Q.GMP.1-43.** Is Mr. Foley aware of the DCF model being used in the evaluation of any other Vermont utility tariffs, projects, analysis, acquisitions, or investments? If so, please identify the docket or matter in which that modeling approach has been used.
- Q.GMP.1-44.** Is the Department aware of any instances in which it has agreed with or argued in favor of using a DCF model for evaluating utility tariffs, projects, analysis, acquisitions, or investments? If so, please identify the docket or matter and produce any testimony or materials filed supporting such analysis.
- Q.GMP.1-45.** Is the Department aware of any instances in which the Commission has approved the use of a similar DCF methodology for the evaluation of other utility tariffs, projects, acquisitions, or investments? If so, please identify the docket or matter.
- Q.GMP.1-46.** Does Mr. Foley admit that batteries offered through the ESS lease will provide more than 10 years of benefits? If not, please state why not.
- Q.GMP.1-47.** Does Mr. Foley admit that his methodology does not capture all benefits during the customer's usage under the ESS lease model? If not, please state why not.
- Q.GMP.1-48.** Does Mr. Foley admit that the matched 10-year methodology therefore has the effect of raising the costs for participating customers by excluding some benefits? If not, please state why not.
- Q.GMP.1-49.** Does Mr. Foley admit that his methodology would create a different intergenerational inequity in that it would flow benefits to customers in later years who did not pay for the program? If not, please state why not.
- Q.GMP.1-50.** Would Mr. Foley agree that net-metering and standard-offer programs that pay a leveled stream of values would be mismatched with the actual avoided costs or values as they will typically start lower and escalate over the period of the contract? If not, please explain why not.
- Q.GMP.1-51.** What would the effect be on customers participating in the ESS or BYOD Tariffs if the Commission adopted Mr. Foley's recommended accounting methodology? Would the cost of participation be higher or lower?

Additional Requests to Admit

- Q.GMP.1-52.** Admit that under GMP's proposed tariff, the value of any upfront or monthly lease payments made by participating customers under the ESS Tariff benefit non-participating customers by reducing GMP's overall cost of service. If denied, please state the basis for the denial.

- Q.GMP.1-53.** Admit that energy services companies are under no obligation to share any portion of the margin of their sales of battery systems with non-participating GMP customers. If denied, please state the basis for the denial.
- Q.GMP.1-54.** Admit that unregulated energy services companies are under no obligation to provide batteries to any specific GMP customers. If denied, please state the basis for the denial.
- Q.GMP.1-55.** Admit that unregulated energy services companies may offer different financing terms to different customers based on the customer's income level or credit history. If denied, please state the basis for the denial.
- Q.GMP.1-56.** Admit that unregulated energy services companies may refuse to provide batteries to Vermonters who do not meet income level or credit history standards that may be established by the energy services company. If denied, please state the basis for the denial.
- Q.GMP.1-57.** Admit that any income level or credit standards that may be established by the energy services company for eligibility for their programs are not subject to PUC regulatory review. If denied, please state the basis for the denial.
- Q.GMP.1-58.** Admit that under the Department's proposed "below-the-line" treatment battery installations, any payments for batteries or installation made by customers would not be included in GMP's cost of service or otherwise returned to GMP's non-participating customers. If denied, please state the basis for the denial.
- Q.GMP.1-59.** Admit that under the separate accounting treatment recommended by the DPS, any revenue generated by the operation of batteries to produce additional revenue from frequency regulation, other ancillary services, or energy arbitrage would not be included in GMP's cost of service or otherwise returned to GMP's non-participating customers. If denied, please state the basis for the denial.
- Q.GMP.1-60.** Admit that under the separate accounting treatment recommended by the DPS, rather than a return on equity it would be necessary and appropriate to include an investment cost and margin in the pricing, which could be set at a rate different from the authorized rate of return? If denied, please state the basis for the denial.
- Q.GMP.1-61.** Admit that the Department's proposed "below-the-line" treatment would make the out of pocket cost of installing batteries more expensive for GMP participating customers compared to the ESS Tariff. If denied, please state the basis for the denial.
- Q.GMP.1-62.** Admit that the Department's proposed tariff approach would raise costs for both participating customers and all non-participating GMP customers. If denied, please state the basis for denial.

- Q.GMP.1-63.** Admit that under the ESS Tariff program, Tesla has provided GMP a guarantee with respect to the performance of installed batteries against FCM and RNS peaks. If denied, please state the basis for the denial.
- Q.GMP.1-64.** Admit that a battery performance guarantee lowers program risk for non-participating customers. If denied, please state the basis for the denial.
- Q.GMP.1-65.** Admit that in the context of generation in Vermont, competitive generation services co-exist with utility-owned generation services. If denied, please state the basis for the denial.

Dated at Burlington, Vermont, this 5th day of December, 2019.

GREEN MOUNTAIN POWER

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