

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 17-4999-INV

Investigation into PUC Rule 3.300, Disconnection of Residential Electric, Gas, and Water Service; PUC Rule 3.200, Ratepayer Deposits for Gas, Electric, and, Water Service; and PUC Rule 3.400, Disconnection of Cable Television Service and Non-Residential Electric, Gas, and Water Service	
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Order entered: 03/02/2020

PROCEDURAL ORDER DENYING REQUEST TO NARROW SCOPE

This proceeding concerns an investigation into the Vermont Public Utility Commission's ("Commission") Rules 3.200 (Ratepayer Deposits for Gas, Electric, and Water Service), 3.300 (Disconnection of Residential Electric, Gas, and Water Service), and 3.400 (Disconnection of Cable Television Service and Non-Residential Electric, Gas, and Water Service).

In today's Order, we choose not to narrow the scope of this proceeding.

I. BACKGROUND

On November 22, 2017, the Commission opened a proceeding into revising Rule 3.300.

On October 1, 2019, the Vermont Department of Public Service ("Department") filed a request to expand the scope of the proceeding to include a review of Rules 3.200 and 3.400.

On November 6, 2019, the Commission issued an Order expanding the scope of the proceeding, as requested.

On January 14, 2020, staff issued a memorandum informing potentially interested entities, including water utilities and cable companies, of the proceeding's expanded scope, among other things.

On January 28, 2020, Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/ Virginia/Vermont, LLC ("Comcast") filed a response asking the Commission to narrow the scope of the proceeding.¹

¹ Comcast Response, Case No. 17-4999-INV, filed on 1/28/2020 ("Comcast Response").

On February 6, 2020, the Department filed a reply to the Comcast Response, urging the Commission to decline Comcast's request as unnecessary at this time.²

II. DISCUSSION & ORDER

Comcast

Comcast states that it “has concerns about including cable television in a comprehensive rule” because “cable television service has very little in common with gas, electric, and water service.”³ Comcast argues that the cable marketplace is much more competitive than the other utility markets, and thus cable customers have access to many potential alternative service providers using various technologies, and that current rules already provide significant consumer protections to cable customers.⁴ Comcast also observes that, “in addition to Commission Rule 3.400, there are disconnection rules specific to cable television providers in Commission Rules 8.345(C), (D), (F), and 8.346.”⁵

Due to these factors, “Comcast respectfully submits that cable television service should not be included in the proposed comprehensive revision of Commission Rules 3.200, 3.300, and 3.400, and thus the scope of Case No. 17-4999-INV should be narrowed to focus on residential and non-residential electric, gas, and water service.”⁶

Department

The Department states “that it is not its intention to substantively change any cable utility disconnection rules in this proceeding.”⁷ However, the Department acknowledges that “the Department’s draft comprehensive rule may lead to the eventual alteration of Rules 3.200, 3.300, and 3.400.”⁸ According to the Department, its “intention [is] to merge those parts of Rule 3.400 which relate to the disconnection of non-residential electric, gas, and water service into

² Department Reply, Case No. 17-4999-INV, filed on 2/6/2020 (“Department Reply”).

³ Comcast Response at 1-2.

⁴ *Id.* at 2.

⁵ *Id.*

⁶ *Id.* at 3.

⁷ Department Reply at 2.

⁸ *Id.*

its draft comprehensive rule proposal” and that such action will “ensure consistency among related subject matter” but should not affect cable television service.⁹ The Department concludes that “Comcast’s interests are implicated only because Rule 3.400 would change, albeit not as applied to Comcast.”¹⁰

Discussion

Having reviewed the filings, we choose not to narrow the scope of this proceeding. One of the main goals of this proceeding is to improve the Rules so that they work better for everyone: companies, consumers, and regulators. A key to this improvement is that the Rules work harmoniously together. The Department, when it sought to expand the scope of this proceeding, stated that “a comprehensive Rule would prevent potential inconsistencies and promote efficiency” by combining the three interrelated rules.¹¹ This is why we expanded the scope at the Department’s request. Keeping the current scope of the proceeding advances this goal. Therefore, Comcast’s request is denied.

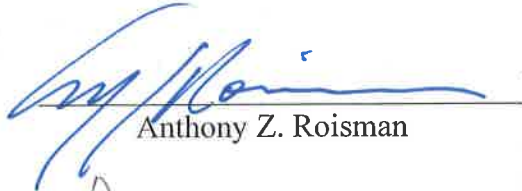
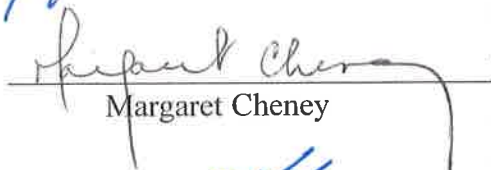
⁹ Department Reply at 2.

¹⁰ *Id.*

¹¹ Department Comments, Case No. 17-4999-INV, filed on 10/1/2019, at 2-3.

SO ORDERED.

Dated at Montpelier, Vermont this 2nd day of March, 2020.

	)	
Anthony Z. Roisman	)	PUBLIC UTILITY
	)	
	)	
Margaret Cheney	)	COMMISSION
	)	
	)	
Sarah Hofmann	)	OF VERMONT

OFFICE OF THE CLERK

Filed: March 2, 2020

Attest:


Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov).

PUC Case No. 17-4999-INV - SERVICE LIST

Carolyn Browne Anderson, Esq.
Green Mountain Power Corporation
2152 Post Road
Rutland, VT 05702
carolyn.anderson@greenmountainpower.com

(for Green Mountain Power Corporation)

Melissa Bailey
Vermont Public Power Supply Authority
P.O. Box 126
5195 Waterbury-Stowe Road
Waterbury Center, VT 05677
mbailey@vppsa.com

(for Vermont Public Power Supply
Authority)

Reginald Beliveau, Jr.
Swanton Village, Inc. Electric Department
P.O. Box 279
120 First Street
Swanton, VT 05488
rbeliveau@swanton.net

(for Swanton Village, Inc. Electric
Department)

Sue Bernier
Vermont Electric Cooperative, Inc.
42 Wecom Road
Johnson, VT 05656
sbernier@vermontelectric.coop

(for Vermont Electric Cooperative Inc.)

Meredith Birkett
Village of Johnson Water & Light Department
P.O. Box 603
Johnson, VT 05656
vojmanager@townofjohnson.com

(for Village of Johnson Water & Light
Department)

Victoria J. Brown, Esq.
Vermont Electric Cooperative, Inc.
42 Wescom Road
Johnson, VT 05656
vbrown@vermontelectric.coop

(for Vermont Electric Cooperative Inc.)

Ellen Burt
Town of Stowe Electric Department
P.O.Box 190
Stowe, VT 05672
eburt@stoweelectric.com

(for Town of Stowe Electric
Department)

Andrea Cohen
Vermont Electric Cooperative, Inc.
42 Wescom Road
Johnson, VT 05656
acohen@vermontelectric.coop

(for Vermont Electric Cooperative Inc.)

William F. Ellis
McNeil, Leddy & Sheahan
271 South Union Street
Burlington, VT 05401
wellis@mcneilvt.com

(for City of Burlington Electric
Department)

Jonathan Elwell
Village of Enosburg Falls Water & Light
42 Village Drive
Enosburg Falls, VT 05450
jelwell@enosburg.net

(for Village of Enosburg Falls Water &
Light Department Inc.)

Carol Flint
112 State Street
Montpelier, VT 05620
carol.flint@vermont.gov

(for Vermont Department of Public
Service)

James Gibbons
City of Burlington Electric Department
585 Pine Street
Burlington, VT 05401
jgibbons@burlingtonelectric.com

(for City of Burlington Electric
Department)

Lauren Hammer
Vermont Gas Systems, Inc.
85 Swift Street
South Burlington, VT 05403
lhammer@vermontgas.com

(for Vermont Gas Systems, Inc.)

Karen Horne
Vermont Gas Systems, Inc.
85 Swift Street
South Burlington, VT 05403
khorne@vermontgas.com

(for Vermont Gas Systems, Inc.)

Bill Humphrey
Village of Lyndonville Electric Department
P.O. Box 167
20 Park Avenue
Lyndonville, VT 05851
bhumphrey@lyndonvilleelectric.com

(for Village of Lyndonville Electric
Department)

W. David Koeninger
Vermont Legal Aid
264 North Winooski Ave.
Burlington, VT 05401
DKoeninger@vtlegalaid.org

(for Vermont Legal Aid)

Pamela Moore
Village of Jacksonville Electric Company
P.O. Box 169
Jacksonville, VT 05342
pmoore@jacksonvilleelectric.net

(for Village of Jacksonville Electric
Company)

John Morley
Village of Orleans Electric Department
Municipal Building
One Memorial Square
Orleans, VT 05860
orloffice@villageoforleansvt.org

(for Village of Orleans Electric
Department)

Craig Myotte
Village of Morrisville Water & Light Department
857 Elmore Street
Morrisville, VT 05661
cmyotte@mwlvvt.com

(for Village of Morrisville Water &
Light Department)

Lynn Paradis
Village of Swanton
Village of Swanton 120 First St.
Swanton, VT 05488
lparadis@swanton.net

(for Swanton Village, Inc. Electric
Department)

Jessica Patterson
Town of Hardwick Electric Department
PO Box 516
Hardwick, VT 05843
jess@hardwickelectric.com

(for Town of Hardwick Electric
Department)

Christine Peterson
Vermont Department of Public Service
112 State Street
3rd Floor
Montpelier, VT 05620-2601
christine.peterson@vermont.gov

(for Vermont Department of Public Service)

Thomas Petraska
Village of Ludlow Electric Light Department
9 Pond Street
Ludlow, VT 05149
tpetraska@tds.net

(for Village of Ludlow Electric Light Department)

Sarah Phillips
Vermont Office of Economic Opportunity
280 State Drive
Waterbury, VT 05671-1050
sarah.phillips@vermont.gov

(for Vermont Office of Economic Opportunity)

Melissa Pierce
Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC
299 North Main Street
Rutland, VT 05701
melissa_pierce@comcast.com

(for Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC)

James Porter, Esq.
Vermont Department of Public Service
Vermont Public Service Department
112 State St
Montpelier, VT 05620
james.porter@vermont.gov

(for Vermont Department of Public Service)

William Powell
Washington Electric Cooperative, Inc.
PO Box 8
East Montpelier, VT 05651
bill.powell@wec.coop

(for Washington Electric Cooperative Inc.)

Patricia Richards
Washington Electric Cooperative, Inc.
P.O. Box 8
East Montpelier, VT 05651
patty.richards@wec.coop

(for Washington Electric Cooperative Inc.)

Evan Riordan
Barton Village, Inc. Electric Department
P.O. Box 519
Barton, VT 05822
electricmanager@bartonvt.com

(for Barton Village Inc. Electric
Department)

Carol Robertson
Village of Hyde Park Electric Department
P.O. Box 400
Hyde Park, VT 05655
carol.robertson@hydeparkvt.com

(for Village of Hyde Park Electric
Department)

Matt Rutherford
Town of Stowe Electric Department
P.O. Box 190
56 Old Farm Road
Stowe, VT 05672
mrutherford@stoweelectric.com

(for Town of Stowe Electric
Department)

Jeffrey Schulz
Town of Northfield Electric Department
51 South Main Street
Northfield, VT 05663
jschulz@northfield.vt.us

(for Town of Northfield Electric
Department)

Ronald A. Shems, Esq.
Tarrant Gillies & Richardson
P.O. Box 1440
Montpelier, VT 05601-1440
rshems@tgrvt.com

(for Washington Electric Cooperative
Inc.)

Eileen Simollardes
Vermont Gas Systems, Inc.
85 Swift Street
South Burlington, VT 05403
esimollardes@vermontgas.com

(for Vermont Gas Systems, Inc.)

Darren Springer
City of Burlington Electric Department
585 Pine Street
Burlington, VT 05401
dspringer@burlingtonelectric.com

(for City of Burlington Electric
Department)

Melissa Stevens, Esq.
Green Mountain Power Corporation
2152 Post Road
Rutland, VT 05701
melissa.stevens@greenmountainpower.com

(for Green Mountain Power Corporation)

Michael Sullivan
Town of Hardwick Electric Department
P.O. Box 516
Hardwick, VT 05843
msullivan@hardwickelectric.com

(for Town of Hardwick Electric
Department)

Rebecca Towne
Vermont Electric Cooperative, Inc.
42 Wescom Road
Johnson, VT 05656
rtowne@vermontelectric.coop

(for Vermont Electric Cooperative Inc.)

Karen Vastine
Vermont Department for Children and Families
karen.vastine@vermont.gov

(for Vermont Department for Children
and Families)

Matthew J. Walker
Efficiency Vermont-Vermont Energy Investment
Corporation
128 Lakeside Avenue, Suite 401
Burlington, VT 05401
mjwalker@veic.org

(for Efficiency Vermont - Vermont
Energy Investment Corporation)

David C. Westman
Efficiency Vermont - Vermont Energy Investment
Corporation
128 Lakeside Avenue, Suite 401
Burlington, VT 05401
dwestman@veic.org

(for Efficiency Vermont - Vermont
Energy Investment Corporation)

Alexander Wing
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620
alexander.wing@vermont.gov

(for Vermont Department of Public
Service)