

**STATE OF VERMONT  
PUBLIC UTILITY COMMISSION**

Case No. 22-0334-INV

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In re: Biennial update of the net-metering program

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**THE DEPARTMENT OF PUBLIC SERVICE’S MOTION TO RESCHEDULE**

On February 4, 2022, the Vermont Public Utility Commission (“Commission”) opened this biennial update proceeding under Rule 5.128. Per the Commission’s order, Vermont’s electric distribution utilities (“DUs”) were directed to file net-metering data for the two preceding years, by February 15, 2022.<sup>1</sup> The Commission established March 15, 2022, as the date by which the Vermont Department of Public Service (“Department”) and Vermont Agency of Natural Resources (“ANR”) may file recommendations based on the DUs’ data with April 1, 2022, as the comment deadline for all other participants.

The Department respectfully requests that the Commission extend the comment deadline for the Department and ANR by 3 weeks and 3 days, and that the subsequent comment deadline be extended accordingly. This would move the Department’s and ANR’s comment deadline from March 15, 2022, to April 8, 2022. Similarly, the comment deadline for other participants would be extended from April 1, 2022, until April 25, 2022.

The Department requests this extension for a few reasons. The Department has found that the analysis of the data in this this Rule 5.128 biennial update is

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<sup>1</sup> The Department observes that no DU filed its report under Rule 5.128 by the February 1, deadline provided under Rule 5.128(D) and that the Commission altered the deadlines imposed by Rule 5.128 to afford additional time to all participants.

more complicated as compared to a more traditional biennial update. Some of this is because the last biennial update, Case No. 20-0097-INV, was delayed for several months since it began only a several weeks before Governor Scott's Executive Order 01-20 was issued, in response to Vermont's challenges with the ongoing COVID-19 pandemic. As such, the 2020 biennial update, Case No. 20-0097-INV, was finalized months later than typical, on November 12, 2020.

This necessarily resulted in a shorter time frame of applications and interconnections of systems with the rate adjustments from the last update implemented, and this in turn impacts the review and consideration of the last two years in this biennial update.

Concurrently, according to the Department's preliminary analysis, much of the deployment in the last two years appears to have come from systems granted CPGs in the previous (2018/2019) biennium. However, there appears to be a robust pipeline of projects applied for in the last two years that have not yet been commissioned because the ongoing COVID-19 pandemic's effects are such that the Commission has granted systemic CPG commissioning deadline extensions to a wide range of approved net-metered systems a handful of times since 2020.<sup>2</sup> This too, has possibly given an incomplete picture of deployment because there are ostensibly fewer commissioned systems than there might be otherwise.

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<sup>2</sup> See generally, *Vermont Public Utility Commission order and memoranda issued in response to COVID-19 pandemic*, Case No. 20-0789-INV.

These factors, as well as the continued uncertainty regarding impacts from COVID-19 and other factors such as inflation and supply chain constraints, have complicated the Department's analysis and delayed it in arriving at a final recommendation. Finally, the Department has asked for clarification from at least one utility on data submitted in this investigation. Moreover, key Department staff are currently unavailable, plus the undersigned counsel is unavailable for several days starting before the current deadline and into the requested extension period.

Therefore, the Department intends to use the requested additional time to engage with the DUs and Renewable Energy Vermont, verify data, and complete its analysis so that it may give the Commission a more considered recommendation. The Department is of the understanding that ANR has no objection to the Department's extension request.

Thank you for your attention and consideration, please do not hesitate to contact me with questions or concerns.

Dated in Montpelier, Vermont on this 9<sup>th</sup> day of March 2022.

Sincerely,

/s/ Alex Wing  
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