

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 21-5254-TF

Tariff filing of Green Mountain Power Corporation for extension of Bring Your Own Device Program and Energy Storage System Service tariffs effective on bills rendered on or after January 29, 2022	
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Order entered: 05/06/2022

FINAL ORDER APPROVING TARIFF FILING

In this Order, the Vermont Public Utility Commission (“Commission”) adopts the following proposal for decision.

PROPOSAL FOR DECISION

I. INTRODUCTION

This case involves the Commission’s investigation into the Green Mountain Power Corporation (“GMP”) tariff filing extending the expiration date from September 30, 2022, to September 30, 2026, for its Bring Your Own Device (“BYOD”) and Energy Storage System (“ESS”) tariffs (Case Nos. 19-3537-TF and 19-3167-TF, respectively). The Commission opened this investigation to address concerns raised by Renewable Energy Vermont (“REV”). GMP filed a separate tariff (Case No. 22-0955-TF) that addresses REV’s concerns by creating another tariff for BYOD systems that will recharge only through the customer’s connected solar generation. The incentive compensation for the solar-charging BYOD tariff is less than the grid-charging BYOD tariff. Given that REV’s concern has been addressed by the separate tariff, I recommend that the Commission approve this tariff filing.

II. PROCEDURAL HISTORY

On December 15, 2021, GMP made a tariff filing with the Commission to extend the expiration date from September 30, 2022, to September 30, 2026, for its BYOD and ESS tariffs. The tariff change also includes a clarification to the BYOD tariff requiring that BYOD systems be enabled to charge from the grid. The tariff is presently silent on this point. The tariff changes

were proposed to take effect on a service-rendered basis beginning January 29, 2022, although GMP's filings make clear that the actual impact of any changes would not occur until October 1, 2022.

On January 13, 2022, the Vermont Department of Public Service ("Department") filed comments recommending approval of the filing. The Department states that it has reviewed GMP's filing, including supporting workpapers, and is satisfied with the reasonableness and accuracy of the information. The Department states that the proposed tariff revisions comply with 30 V.S.A. § 225(a) and benefit all customers by sharing savings.

On January 18, 2022, REV filed a public comment requesting that the Commission approve the extension of the BYOD tariff term and reject the "new mandatory grid-charging requirement." REV explains that it is concerned that energy storage devices associated with residential solar systems that are connected to the grid will not be eligible for a federal investment tax credit because the investment tax credit requires that storage systems recharge exclusively with solar energy.

On January 21, 2022, GMP filed a response to REV's public comment. GMP explains that with the new language, customers will need to choose between the investment tax credit and the BYOD incentive, depending on which is most beneficial to them. Customers who choose the BYOD incentive will need to ensure that their systems are set up to deliver the intended benefits. GMP states that the new language clarifying that BYOD customers are required to enable grid charging will apply to new BYOD customers enrolling after October 1, 2022.

On January 24, 2022, the Department filed comments stating that it continues to support the proposed tariff changes.

On January 26, 2022, the Commission opened an investigation into REV's concerns related to GMP's requirement that BYOD systems be enabled to charge from the grid as that could impact customers' ability to make use of the investment tax credit.

On February 7, 2022, I held a scheduling conference in this matter. At the scheduling conference, GMP and REV agreed to continue discussions and file a status update.

On March 8, 2022, GMP filed a status update indicating that it would be filing a separate BYOD tariff that addresses solar-only charging. GMP shared a draft with REV and the Department. GMP stated that it would file a separate, new tariff by the end of the month.

On March 23, 2022, GMP filed a new solar-charging BYOD tariff in Case No. 22-0955-TF. GMP states that it will implement both the grid-charging and solar-charging tariffs on October 1, 2022. GMP states that it is authorized to inform the Commission that REV supports the new solar-charging and grid-charging BYOD tariffs.

On April 22, 2022, the Department filed comments on the solar-charging tariff in Case No. 22-0955-TF recommending that the Commission approve that tariff.

In a separate Order issued in Case No. 22-0955-TF, the Commission has approved the solar-charging BYOD tariff.

III. DISCUSSION AND CONCLUSION

This proceeding was opened to address REV's concern that under the proposed grid-charging BYOD tariff, energy storage devices associated with residential solar systems would not be eligible for a federal investment tax credit because the investment tax credit requires that storage systems recharge exclusively with solar energy. GMP has addressed REV's concerns by proposing a new solar-charging BYOD tariff that does not include the grid-charging requirement. REV authorized GMP to inform the Commission that it supports both the grid-charging BYOD tariff in this proceeding as well as the solar-charging BYOD tariff in Case No. 22-0955-TF.

The Department supports the updates to the BYOD and ESS tariffs as well as the new solar-charging BYOD tariff.

Because the Commission is approving the solar-charging BYOD tariff in Case No. 22-0955-TF, I recommend that the Commission consider the issues in this proceeding to be resolved. I further recommend that the Commission approve the changes to the BYOD and ESS tariff to be effective October 1, 2022.

This Proposal for Decision has not been circulated to the parties pursuant to 3 V.S.A. § 811 because it is not adverse to any party.

Handwritten signature of Andrea C. Poppiti in cursive script.

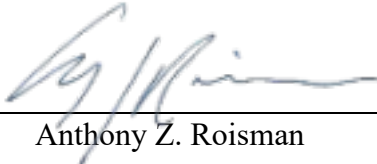
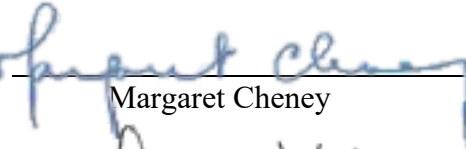
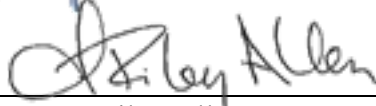
Andrea Poppiti
Hearing Officer

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Utility Commission (“Commission”) of the State of Vermont that:

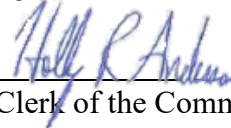
1. The conclusions and recommendations of the Hearing Officer are adopted.
2. The expiration dates for Green Mountain Power Corporation’s Bring Your Own Device (“BYOD”) and Energy Storage System (“ESS”) tariffs are extended from September 30, 2022, to September 30, 2026. The tariff changes, including a clarification requiring that systems under this tariff must be enabled to charge from the grid, shall be effective October 1, 2022.
3. GMP shall file compliance tariff sheets reflecting the October 1, 2022, effective date within 10 days of the issuance of this Order.

Dated at Montpelier, Vermont, this 6th day of May, 2022.

 _____)) PUBLIC UTILITY)) COMMISSION) OF VERMONT
Anthony Z. Roisman)	
_____)	
 _____)) COMMISSION) OF VERMONT
Margaret Cheney)	
_____)	
 _____)) OF VERMONT
J. Riley Allen)	

OFFICE OF THE CLERK

Filed: May 6, 2022

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)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Commission within 30 days. Appeal will not stay the effect of this Order, absent further order by this Commission or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of this decision and Order.

PUC Case No. 21-5254-TF - SERVICE LIST

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