

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 17-4999-INV

Investigation into Commission Rule 3.300, Disconnection of Residential Electric, Gas and Water Service	
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Order entered: 08/09/2022

PROCEDURAL ORDER REQUESTING COMMENTS

This proceeding concerns an investigation into Vermont Public Utility Commission (“Commission”) Rule 3.300, which governs the disconnection of residential electric, gas, and water service. In this Order, the Commission requests additional comments on the Department of Public Service’s (“Department”) draft rule that would significantly amend Rule 3.300. In particular, as the Commission prepares to transition away from the COVID-19 Emergency Disconnection Rule 2.600, the Commission seeks feedback from the Department and other interested commenters as to whether any components of the Emergency Disconnection Rule 2.600 should be permanently incorporated into Rule 3.300 and whether there are other sections of Rule 3.300 that should be reconsidered in light of the utilities’ experience operating under the emergency procedures during the COVID-19 pandemic.

I. BACKGROUND

On November 22, 2017, the Commission opened this investigating after receiving complaints from utilities that their employees were facing threatening situations during service disconnections.

From November 22, 2017, until the present, the Commission received multiple rounds of comments and held two workshops to address potential revisions to Rule 3.300.

On March 16, 2020, the Department filed a proposed draft rule that would substantially amend Rule 3.300 and merge many aspects of Rules 3.200, 3.300, and 3.400 into a single rule.

Between April 21, 2020, and July 27, 2020, the Commission received comments on the Department’s proposed rule from Green Mountain Power Corporation, City of Burlington Electric Department, the Vermont Public Power Supply Authority, Vermont Electric Cooperative, Inc., Vermont Gas Systems, Inc., the Village of Hyde Park Electric Department,

and Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC.

II. REQUEST FOR COMMENTS

As a result of the onset of the COVID-19 pandemic and the implementation of an Emergency Rule 2.600, the Commission has not pursued implementing final amendments to Rule 3.300. The most recent version of Rule 2.600 went into effect on July 1, 2022, and will remain in force until December 28, 2022, or until the Commission withdraws it. It remains unclear as to whether it will be necessary to implement an additional extension of Rule 2.600 beyond December 28, 2022. The Commission, however, finds that it is now appropriate to re-open this investigation in anticipation of a transition away from the emergency procedures set out in Rule 2.600 and a return to a permanent disconnection rule.

The Department previously filed a draft that would comprehensively overhaul Rule 3.300. Many affected utilities already filed extensive comments in response to the Department's draft. The Department's proposal, however, was filed at the onset of the COVID-19 pandemic. The utilities' responsive comments were filed shortly after, well in advance of the first iteration of the emergency disconnection rule. We expect that the utilities' experience of operating under the emergency rule, particularly with the more regular use of remote disconnections, will provide helpful context and data for the Commission to consider as it weighs the proposed changes to the disconnection process set out in Rule 3.300. We also recognize that the Department has not yet had an opportunity to reply to the initial responsive comments filed by the utilities. Therefore, we have decided to restart the rulemaking process in this investigation by requesting an additional round of comments from the Department and any other interested commenters, including the utilities.

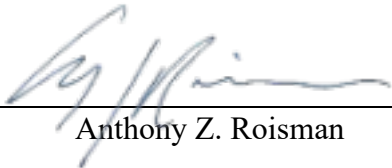
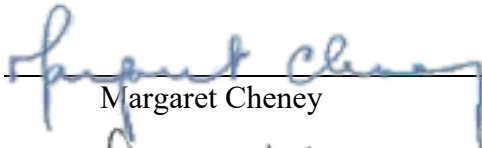
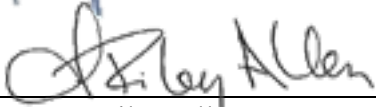
We request that the Department file comments by August 31, 2022. In particular, we request that the Department address whether the utilities' comments or the Department's perspective on utility operations under the emergency disconnection rule have caused the Department to reconsider any portions of its proposed amendments to Rule 3.300. To the extent the Department proposes modifications to its proposed draft Rule 3.300, we request that the Department file a revised version of its draft in redline.

We request that any responses to the Department's comments be filed no later than September 21, 2022. As noted above, we request that any interested commenters, including the utilities, address whether operating under the emergency Rule 2.600 has resulted in any information or data that the Commission should consider in the context of permanent revisions to Rule 3.300.

After the comment period has concluded, the Commission anticipates convening a third, and final, workshop to discuss the commenters' proposed changes to Rule 3.300 before promulgating a draft rule for comment. Commenters should anticipate that this workshop likely will be held within two or three weeks of the conclusion of the comment deadline.

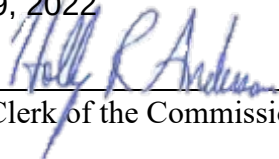
SO ORDERED.

Dated at Montpelier, Vermont, this 9th day of August, 2022.

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

OFFICE OF THE CLERK

Filed: August 9, 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)

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.)

Mary Bouchard
Vermont Gas Systems, Inc.
85 Swift Street
South Burlington, VT 05403
mbouchard@vermontgas.com

(for Vermont Gas Systems, Inc.)

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.)

Crystal L Currier
Vermont Public Power Supply Authority
PO Box 126
Waterbury Center, VT 05677
ccurrier@vppsa.com

(for Barton Village Inc. Electric
Department)

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 Lyndonville Electric Department
PO Box 167
20 Park Avenue
Lyndonville, VT 05851
jelwell@lyndonvilleelectric.com

(for Village of Lyndonville Electric
Department)

Marla Emery
Village of Johnson Water & Light Department
P.O. Box 603
Johnson, VT 05656
memery@townofjohnson.com

(for Village of Johnson Water & Light
Department)

Steven R Farman
Vermont Public Power Supply Authority
5195 Waterbury-Stowe rd
Waterbury Center, VT 05766
sfarman@vppsa.com

(for Vermont Public Power Supply
Authority)

Karen Field
Town of Hardwick Electric Department
PO Box 516
Hardwick, VT 05843
kfield@hardwickelectric.com

(for Town of Hardwick Electric
Department)

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)

Grace Grundhauser
Green Mountain Power Corporation
163 Acorn Lane
Colchester, VT 05446
grace.grundhauser@greenmountainpower.com

(for Green Mountain Power Corporation)

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.)

Penny Jones
Village of Morrisville Water & Light Department
857 Elmore Street
Morrisville, VT 05661
pjones@mwlvlt.com

(for Village of Morrisville Water &
Light Department)

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

(for Vermont Legal Aid)

Michael Lazorchak
Town of Stowe Electric Department
PO Box 190
Stowe, VT 05672
mlazorchak@stoweelectric.com

(for Town of Stowe Electric
Department)

Abbey Miller
Village of Enosburg Falls Water & Light Department
42 Village Drive
Enosburg Falls, VT 05450
amiller@enosburg.net

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

Pamela Moore
Village of Jacksonville Electric Company
P.O. Box 169
Jacksonville, VT 05342
sfarman@live.com

(for Village of Jacksonville Electric
Company)

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

(for Village of Orleans Electric
Department)

Ken Nolan
Vermont Public Power Supply Authority
P.O. Box 126
Waterbury Center, VT 05677
knolan@vppsa.com

(for Vermont Public Power Supply
Authority)

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

(for Swanton Village, Inc. 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@ludlowelectric.com

(for Village of Ludlow Electric Light
Department)

Jill Pfenning
Vermont Gas Systems, Inc.
85 Swift Street
South Burlington, VT 05403
jpfenning@vermontgas.com

(for Vermont Gas Systems, Inc.)

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
112 State Street
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.)

Louis Porter
Washington Electric Cooperative, Inc.
P.O. Box 8
East Montpelier, VT 05651
louis.porter@wec.coop

(for Washington Electric Cooperative Inc.)

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)

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 & Shems, LLP
P.O. Box 1440
Montpelier, VT 05601-1440
ron@tarrantgillies.com

(for Washington Electric Cooperative
Inc.)

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

(for City of Burlington Electric
Department)

Emily Stebbins-Wheelock
City of Burlington Electric Department
585 Pine Street
Burlington, VT 05401
estebbins-wheelock@burlingtonelectric.com

(for City of Burlington Electric
Department)

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
20 Winooski Falls Way
5th Floor
Winooski, VT 05404
mjwalker@veic.org

(for Efficiency Vermont - Vermont
Energy Investment Corporation)

David C. Westman
Efficiency Vermont - Vermont Energy Investment
Corporation
20 Winooski Falls Way
5th Floor
Winooski, VT 05404
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)