

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 22-3947-TF

Tariff filing of City of Burlington Electric Department to revise its net-metering tariff effective October 1, 2022	
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ATTESTATION OF JAMES L. GIBBONS

I, James L. Gibbons, do depose and state as follows:

1. I am the Director of Policy and Planning at Burlington Electric Department (“BED”).
2. I was responsible for overseeing the preparation and filing of BED’s Net-Metering Tariff effective January 1, 2017.
3. BED’s tariff effective January 1, 2017, differs from BED’s prior net-metering tariffs in several ways, including it being reorganized and reformatted.
4. BED’s tariff effective January 1, 2017, limited the credit carry-forward and cash-out provisions to BED’s solar incentive credit of \$0.052265, rather than applying to both the solar incentive and net-metering credits like prior versions of the tariff. To the best of my knowledge and belief, this change was not intentional.
5. To the best of my knowledge and belief there had been no change in statute or Commission rules that required BED to limit the credit carry-forward and cash-out provisions to BED’s solar incentive credit in its net-metering tariff effective January 1, 2017.
6. BED shows separate values for the solar incentive credit and other net-metering credits on monthly customer statements, however, BED’s billing system is not capable of automatically

differentiating a customer's solar incentive credit balances from its net-metering credit balances for purposes of expiring credits or for issuing cash-out payments.

7. BED has continuously applied the credit carry-forward and cash-out provisions to the customer's aggregate credit balance since the Board approved BED's net-metering tariff in 2011 to date.

8. As of January 25, 2023, I have been informed by my staff that there were approximately 148 pre-existing net-metering systems receiving the benefit of the credit carry-forward and cash-out provisions of BED's net-metering tariff.

9. I have been informed by my staff that the latest commissioning date for BED's pre-existing net-metering systems is March 9, 2018, so the carry-forward and cash-out provisions will have fully expired by early 2028.

10. The foregoing is accurate to the best of my personal knowledge and belief, and upon information provided to me by my staff, as the person responsible for the preparation and filing of BED's Net-Metering Tariff effective January 1, 2017.

11. I understand that if the above statements are knowingly false, I may be subject to sanctions by the Commission for contempt and perjury.

DATED at Burlington, Vermont this 28th day of February 2023.

/s/ James L. Gibbons
James L. Gibbons