

STATE OF VERMONT PUBLIC UTILITY COMMISSION

Case No. 23-1870-PET

Petition of City of Burlington Electric Department to transfer Thermal Energy & Process Fuel funds for use in its District Energy System support program

REPLY TO DEPARTMENT OF PUBLIC SERVICE RESPONSE TO MOTION TO INTERVENE

Ms. Ludwig's Response to my motion to intervene—it's complete disregard for the first two issues I raise; that the DES project is not highly efficient, nor is it cost effective—demonstrates precisely why the PUC should approve my motion to intervene. Twenty members of the public, many of them Burlington Electric customers, express the very same concerns I have; and it is clear, though Ms. Ludwig is a public advocate, that the Department and Ms. Ludwig will ignore the clear reading of the statutes upon which BED relies to support its request and agree to BED's transfer of funds despite these concerns raised by the public.

In footnote 2, Ms. Ludwig states,

In the alternative, even if Mr. Porter's claimed interest was relevant to this proceeding, the Department believes that Mr. Porter's interest is not distinct from the broad interests of ratepayers, which are already represented in this case by the Department. While Mr. Porter may not agree with the advocacy that the Department is, in its informed discretion, undertaking on behalf of ratepayers, his concerns do not constitute a unique interest that is not sufficiently represented by the Department's participation.

The relevance of the issues I raise are located in the clear language of the very acts BED cites to support its transfer request. That Ms. Ludwig does not, or does not wish to see the relevance is all the more reason a third party should intervene. It is true that I disagree with the Department's advocacy, but I also disagree that the Department's discretion is informed: it is not informed by Act 102, 2018, and Act 31, 2019, which allow the Commission to approve such fund transfers only if the DES is highly efficient and cost effective; and Ms. Ludwig has not informed the public why the Department would agree to a funds transfer that so blatantly violates the clear language of these acts.

Please approve my motion to intervene so that the efficiency and the cost of the DES are investigated.

Pike Porter.