

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 19-0302-INV

Investigation to establish an Energy Savings Account partnership pilot program, establish a methodology for evaluation, measurement, and verification of Self-Managed Energy Efficiency Program and Energy Savings Account projects, and review the Customer Credit Program	
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Order entered: 08/04/2023

ORDER ADDRESSING ESA PILOT PROGRAM EXTENSION

In a May 16, 2019, Order, the Vermont Public Utility Commission (“Commission”) established the Energy Savings Account (“ESA”) pilot program.¹ In a July 23, 2021, Order, the Commission provided additional guidance on the implementation of the ESA pilot program.²

In 2022, Vermont Public Act 164 (“Act 164”) extended certain provisions of the ESA pilot program through December 31, 2023. Pursuant to Section (b)(5) of Act 164, the participants selected for the pilot may request an additional extension until December 31, 2026. The extension allows pilot participants to spend or contract to spend pilot funds accrued before January 1, 2024, but does not allow participants to accrue additional pilot funds. The Commission is required to consider requests and approve all reasonable extension requests.

In today’s Order, because Act 164 did not provide specifics, we provide additional guidance to current participants with respect to the extension of the ESA pilot program.

First, ESA pilot program participants should file requests for extension by no later than Friday, December 1, 2023. The extension request should include a cover letter summarizing the additional efficiency projects expected to be implemented and the expected additional spending and savings associated with the additional projects. The extension filing should also include a revised energy management plan to reflect the additional spending and savings.³ ESA pilot

¹ See *Order Re Energy Savings Account Pilot Program*, Case No. 19-0302-INV, Order of 5/16/19 at 27.

² See *Order Addressing Implementation of ESA Pilot Program*, Case No. 19-0302-INV, Order of 7/23/21.

³ Pursuant to Section (e) of Act 164, each customer selected for the ESA pilot program was required to develop an energy management plan for the three-year period of the pilot with projects to be implemented, energy savings targets, and a timeline for projects and investments. Current participants in the program eligible for an extension submitted energy management plans to the Commission, the Vermont Department of Public Service, and the Vermont Agency of Commerce and Community Development.

program participants are encouraged to work with Efficiency Vermont and the Vermont Department of Public Service to develop a revised energy management plan.

The request for extension must be filed in this case through ePUC and participants in the case will have 21 days from the date the extension request is received in ePUC to file comments or raise objections. If no objections or comments are received from participants or the Commission, the extension request will be granted without further Commission action. If comments or objections are received, the ESA pilot program participant will need Commission approval to proceed with an extension. The Commission will issue an Order approving the extension request or addressing why the extension request was not granted. Participants may contact the Clerk of the Commission for help in filing an extension request in ePUC.


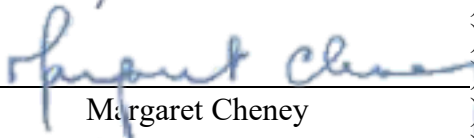
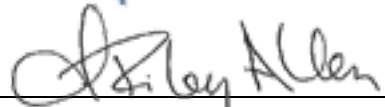
Second, we provide some additional clarifications about the program end date. Pursuant to Section (b)(5) of Act 164, the ESA pilot program is extended until December 31, 2023, and may be extended until December 31, 2026, upon the reasonable request of a program participant. ESA pilot program participants granted an extension will be allowed “to spend or contract to spend pilot funds” accrued before January 1, 2024. We interpret “contract to spend” funds as “committed funds” from our previous implementation Orders.⁴ As previously determined by the Commission, committed funds are those funds that are designated for a specific project or purpose and that are officially obligated through a contract, grant, loan, or other arrangement. Funds may be considered committed provided there is a written agreement of some type obligating payment.⁵ Accordingly, projects under the ESA pilot program may be completed after the December 31, 2026, program end date, as long as the project funds have been committed before the program end date.

SO ORDERED.

⁴ See Order of 5/16/19 at 27 and Order of 7/23/21 at 1.

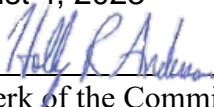
⁵ See Order of 5/16/19 at 27 and Order of 7/23/21 at 1.

Dated at Montpelier, Vermont this 4th day of August, 2023

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

OFFICE OF THE CLERK

Filed: August 4, 2023

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. 19-0302-INV - SERVICE LIST

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