

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	
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DEPARTMENT OF PUBLIC SERVICE RESPONSE TO
PIKE PORTER MOTION FOR RECONSIDERATION

On June 2, 2023, the City of Burlington Electric Department (“BED”) filed a petition with the Vermont Public Utility Commission (“Commission”) pursuant to Section III.3 of BED’s Order of Appointment requesting approval of an intra-program transfer of \$500,000 from funds budgeted for BED’s traditional thermal-energy-and-process-fuels programs to its District Energy System (“DES”) support program. On June 19, 2023, a motion to intervene was filed by Pike Porter. The Department of Public Service (“Department”) filed a response to Mr. Porter’s motion on July 6, 2023, recommending that the Commission deny Mr. Porter’s request because his stated interests in the proceeding were not relevant to the Commission’s review of BED’s request to transfer funds pursuant to Section III.3 of BED’s Order of Appointment; he did not state an interest distinct from ratepayers, whose interests are already represented in the proceeding by the Department; and his participation in the proceeding would likely cause unnecessary delay. The Commission issued an order on August 1st denying Mr. Porter’s motion, concluding that he had not met the standard for permissive intervention under Commission Rule 2.209(B) for the same reasons stated in the Department’s response.

On August 17, 2023, Mr. Porter filed a request that the Commission reconsider its denial of his motion to intervene. In his request for reconsideration, Mr. Porter restates his belief that

the DES program is generally “inefficient,” as he stated in his original motion. He also challenges the Commission’s decision in Case No. 19-3272-PET. Not only has he not presented any new information justifying his intervention under Rule 2.209(B); his challenge to the Commission’s decision in Case No. 19-3272-PET is both untimely, irrelevant, and inappropriate in this proceeding. The Department therefore supports the Commission’s August 1st order and believes that the motion for reconsideration has not stated a basis for reversal of the Commission’s decision.

Dated at Montpelier, Vermont this 1st day of September 2023.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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