



July 12, 2024

Holly R. Anderson
Clerk of the Commission
112 State Street
Montpelier, VT 05620-2701

Re: Case No. 21-3883-RULE, Proposed creation of Vermont Public Utility Commission Rule
Concerning Energy Storage

Dear Ms. Anderson,

In response to the Public Utility Commission's ("Commission's") May 21, 2024, Order Seeking Comments on Rule Draft, Burlington Electric Department ("BED") submits comments under the applicable Commission questions below.

8. What, if any, provisions should a rule contain on the topic of energy aggregators and aggregations? Should the rule address only energy storage aggregators and aggregations, or other aggregators and aggregations as well? Should aggregators be required to obtain a Section 231 CPG? If yes, does the Commission have the authority to impose such a requirement in a rule?

It is necessary to consider how FERC Order 2222 may interact with any Commission storage rule provisions that address storage aggregators and aggregations, as FERC Order 2222 addresses the issue of DER participation in the regional electricity markets through aggregations. BED does not believe FERC Order 2222 is applicable to any Vermont utility due to utility size restrictions. BED interprets the FERC Order, as it applies to Vermont, to indicate that an affirmative action finding that DER could participate in the wholesale markets could be made after due process. To date this has not occurred, and the ability of the Vermont utilities to accommodate FERC Order 2222, the costs of doing so, and the benefit to Vermont from doing so have not been examined. Accordingly, the Commission storage rule should only address the question of aggregation and aggregators as it pertains to utility programs where that might be relevant.

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Moreover the proposed Commission storage rule language should contain a clear initial statement that nothing in the Rule be construed as indicating that FERC Order 2222 applies to Vermont utilities without an explicit decision after additional process.

A storage rule should not be broadened to attempt to address integrations other than storage in any case.

9. What information do interconnecting utilities need to accommodate aggregations? Should a CPG petition include a notice or information on whether the storage system is part of an aggregation? Do utilities prefer that this information be included in the CPG petition process or in the interconnection application process?

BED answers assuming that the only potential integration currently is where integration is receiving a value under current (or future) utility programs. Under that paradigm the utility program should contain any required information if the utility requires to permit aggregator participation.

10. Should a rule establish required practices for the operation of aggregations? If yes, please explain and propose language.

See Answer 9.

11. Should the rule contain a provision directing that petitions for Section 248 certificates of public good from non-qualifying facility and non-utility energy storage facility developers also include a request for a Section 231 certificate of public good? If yes, please provide proposed language.

BED does not see the need for 231 CPGs for aggregators to participate in company economic programs.

Should you have any questions, please feel free to contact us at any time.

Sincerely,



James L. Gibbons
Director of Policy and Planning
Burlington Electric Department
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