



**State of Vermont
Public Utility Commission**

MEMORANDUM

To: Participants in Case No. 23-2220-RULE
From: Vermont Public Utility Commission
Holly R. Anderson, Clerk of the Commission 
Re: Status of the Commission's Work on the Clean Heat Standard & Update on Fuel Dealer Registration Process
Date: May 27, 2025

In 2023, the Vermont General Assembly passed Act 18 of 2023,¹ which requires the Vermont Public Utility Commission ("Commission") to provide a Clean Heat Standard rule to the Legislature by January 15, 2025. Section 8122 of Title 30 of the Vermont Statutes Annotated directs the Commission to "adopt rules . . . to *implement* and enforce the Clean Heat Standard program."² Section 8126 of Title 30 repeats the Commission's obligation to adopt rules to implement the Clean Heat Standard and further states:

The requirements to adopt rules and any requirements regarding *the need for legislative approval before any part of the Clean Heat Standard goes into effect* do not in any way impair the Commission's authority to issue orders or take any other action, both before and after final rules take effect, to implement and enforce the Clean Heat Standard.³

Finally, Section 8131 of Title 30 provides, "Notwithstanding any other provision of law to the contrary, the Commission shall not file proposed rules with the Secretary of State implementing the Clean Heat Standard without specific authorization enacted by the General Assembly."

Together, these provisions authorize implementation of the Clean Heat Standard only after further approval by the General Assembly. This legislative session, the General Assembly did not pass a bill that either adopts or modifies the Commission's proposed Clean Heat Standard rule. Therefore, the Commission is not authorized to implement the Clean Heat Standard as set forth in Chapter 94 of Title 30.

¹ The bill as enacted is available at <https://legislature.vermont.gov/Documents/2024/Docs/ACTS/ACT018/ACT018%20As%20Enacted.pdf>. The relevant sections of the law can also be found at <https://legislature.vermont.gov/statutes/fullchapter/30/094>.

² (Emphasis added.)

³ 30 V.S.A. § 8126(b) (emphasis added.). We do not understand the "before . . . final rules take effect" period to be indefinite. The other provisions of Chapter 94 link implementation with the General Assembly's action. Because the Legislature did not act to authorize a CHS rule during this legislative session, the preliminary period for Commission action on the CHS has ended.

Fuel Dealer Registration

Chapter 94 of Title 30 contains provisions requiring action by entities other than the Commission. One such obligation is that, under the existing language of 30 V.S.A. § 8124(b)(1), each entity that sells heating fuel into or in Vermont must register with the Commission by June 30, 2025.⁴ However, absent a legislatively approved Clean Heat Standard, the Commission will not process fuel dealer registrations, designate obligated parties, set annual clean heat credit obligations, update its website of fuel dealer registrants, or enforce against nonregistration.⁵

Nonetheless, and to facilitate each fuel dealer's own independent determination of its obligations under Chapter 94 of Title 30, the Commission will make available a spreadsheet template for fuel dealers to enter and report the registration information. This file can be found on the Commission's fuel dealer registration page, which is linked [here](#).⁶ An updated list of FAQs can be found on the same page.

If a fuel dealer elects to register with the Commission, the fuel dealer should email the completed spreadsheet file to the Clerk of the Commission at PUC.Clerk@vermont.gov. Please save the file as "BusinessName_HeatingFuelRegistration_2024.xlsx." The email's subject line should be "Business Name - Heating Fuel Registration - 2024."

Confidential Treatment of Registration Information

The Commission will treat specific registration information as confidential for five years from the date the annual registration form is submitted and will ask that the Department of Public Service and the Agency of Natural Resources do the same.⁷ Specifically, the "volumetric information and the identities of supplier and client businesses" will be treated as confidential.⁸

⁴ 30 V.S.A. § 8124(b)(1) ("Each entity that sells heating fuel into or in Vermont shall register annually with the Commission by an annual deadline established by the Commission. The first registration deadline is January 31, 2024, and the annual deadline shall be June 30 of each year after. The form and information required in the registration shall be determined by the Commission and shall include all data necessary to establish annual requirements under this chapter. The Commission shall use the information provided in the registration to determine whether the entity shall be considered an obligated party and the amount of its annual requirement."); *see also* 30 V.S.A. § 8123(11) ("'Heating fuel' means fossil-based heating fuel, including oil, propane, natural gas, coal, and kerosene.").

⁵ The Commission notes that the Vermont Attorney General has independent authority to enforce the provisions of chapter 94 of Title 30, and this memo in no way binds the Attorney General. *See* 30 V.S.A. §§ 8124(f)(5)-(6).

⁶ If you cannot use Microsoft Excel, please email the Clerk of the Commission (PUC.Clerk@vermont.gov) to receive a PDF version of the form.

⁷ Pursuant to 30 V.S.A. § 8124(b)(3), the Commission must share registration data with the Vermont Agency of Natural Resources and the Vermont Department of Public Service.

⁸ Order Granting Confidential Treatment of Registration Information, Case 23-2220-RULE, Order of 1/24/24 at 10.

PUC Case No. 23-2220-RULE - SERVICE LIST

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