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James A. Dumont, Esq.

August 28, 2025

Ms. Holly Anderson
Clerk
Vermont Public Utility Commission

Re: Case No. 25-0443-INV --Response to Commission Requests July 31, 2025; Answers to the Commission's Questions at the Workshop

Dear Ms. Anderson:

By this letter, with assistance from Mr. Behimer, I respond to the requests in the Commission's order issued on July 31, 2025. I also respond to the questions the Commission asked of us at the workshop held on July 16, a2025.

Relevant Facts

A. Disconnections and Disconnection Notices

In Docket No. 7535, the Board issued a ruling on July 22, 2011 granting AARP's petition to establish a low-income electric ratepayer assistance program. The findings the Board made included these:

> 6. Electricity is necessary for Vermont households to maintain minimum standards of health and safety. Taormina pf. at 20-21; exh. AARP-PT-2 at 14.
>
> 7. Other than households heated exclusively with wood, all other forms of home heating require the use of electricity. Taormina pf. at 20-21; exh. AARP-PT-2 at 14.
>
> 8. The loss of electricity can impose significant hardships on a household. Such hardships include going without heat, refrigeration, and light, and experiencing broken connections with schools, employers, friends, and community resources. Exh. AARP-Cross-6a; tr. 8/13/10 (vol. II) at 67 (Nagle).
>
> 9. Electricity is a necessity that is unaffordable for a significant segment of Vermonters as evidenced by electric utility disconnection data. Exh. CVPS-1 at 7.

10. In 2009, there were 11,901 instances in which Vermont electric customers experienced a disconnection of service. The majority of these disconnections occurred in four service territories: CVPS (4,731); GMP (3,723); VEC (1,259); and BED (1,083). These four utilities accounted for 90.6% of all electric utility disconnections in Vermont in 2009. Exh. AARP-Cross-10; tr. 8/13/10 (vol. II) at 14-17 (Pratt).

The latest disconnection reports filed with the Commission reveal that, except for BED, the number of disconnects has stayed the same or increased. GMP and VEC have filed 7 months of data; BED has filed six months. Annualizing their data, this is the current status of disconnections in their service territories:

GMP (GMP + CVPS) disconnections	2009: 8454	2025: 9,186
VEC disconnections	2009: 1,259	2025: 1,186
BED disconnections	2009: 1,083	2025: 376

Disconnection notices also are relevant. According to both the Congressional Research Service and the Energy Information Administration, about 20% of Americans forego food and medicine in order to pay their energy bills. Many customers make the decision to forego food or medicine when they receive an electric disconnection notice (See "Utility Disconnections and Shutoffs," 46 Energy Law Jrnl. 299, 302 [2025])). The CRS report found that the states in New England bear the heaviest overall energy burden in the nation.

Nationally, about 10% of Americans receive a disconnection notice each year, according to the EIA. The percentages of Vermont ratepayers who received disconnect notices in *one month* in 2025 were often above the national *annual* average. Below is the data for two sample months, January (midwinter) and April:

GMP January 2025 disconnect notices	37,112 (16.2% of total GMP households)
GMP April 2025 disconnect notices	36,321 (15.8% of total GMP households)
VEC January 2025 disconnect notices	4,195 (11.8% of total VEC households)
VEC April 2025 disconnect notices	4,341 (12.1% of total VEC households)
BED January 2025 disconnect notices	2,219 (12.4% of total BED households)
BED April 2025 disconnection notices	2,429 (13.6% of total BED households)

This data tells us that at least *one of every six GMP customers* is receiving disconnection notices in midwinter. At least *one out of every nine VEC customers* is receiving disconnection notices in midwinter, and *one out of every eight BED customers* is receiving midwinter disconnection notices. These monthly percentages do not reveal the percentages or numbers of customers who receive disconnection notices each year. (The Commission's rule does not require utilities to report how many customers each year are receiving disconnection notices; only monthly data is required.)

B. EAP Participation

In 2019, the GDS consulting firm reported that GMP had 10,560 customers participating in its EAP program (GDS Report p.29). The GDS firm reported that the program was reaching only about 25% to 30% of GMP's eligible customers (p.28). The report found that an energy burden exceeding 6% of income is unaffordable, and that approximately 25,300 GMP customers who were not part of its EAP were experiencing energy burdens of 11% to 51%. The firm recommended changes to the program to bring in more participants.

Today, according to the report filed by GMP in this proceeding, the GMP EAP program has only 7,770 participants. Notwithstanding the increased eligibility of 185% of FPL, and an increase in the discount from 20% to 25%, the number of participants has fallen by 26% since 2019.

BED reports that 776 customers participate in its 12.5% discount program.

VEC reports that it has 365 participants in its ARPA-funded discount program.

Participation can be compared to disconnections and disconnection notices:

GMP

EAP participants	Disconnections	Midwinter Disconnect Notices
7,700	8,186	37, 112

BED

EAP participants	Disconnections	Midwinter Disconnect Notices
776	376	2,219

VEC

EAP participants	Disconnections	Midwinter Disconnect Notices
365	1,186	4, 195

C. Information Needed

The data submitted in the present docket, the reports submitted in Case No.20-02023-INV, and the 2019 GDS report, do not answer many important questions about the need for better protection for low-income Vermonters in paying their electric bills and meeting their overall energy needs.

BED's website advises customers who have difficulty paying their bill to go to the Salvation Army, Catholic Charities, and others for assistance. VEC's website refers customers to Capstone and other agencies.

Capstone's response to the Commission's request for information states that it provides an average benefit of $543 to an average of 442 persons each year. This data, however, encompasses all forms of energy assistance—assistance purchasing fuel as well as avoiding electric disconnection. It does not include any funds donated to Capstone and then provided to persons in need.

The national data tells us that customers often stop spending money on necessary food and medicine to pay their electric bills. There are obvious public health and fiscal consequences of those choices.

I hope that the Commission will invite Vermont charities, community action agencies, food banks, the Department of Children and Families, and others to a workshop to share their data and their narratives about electric ratepayers who come to them seeking help after receiving a disconnection notice or after being disconnected. The questions I hope they can address include:

i) When Vermont ratepayers receive a disconnection notice, what sources of funds do they use to prevent disconnection? Do they rely upon donations from nonprofit organizations such as the Salvation Army and Capstone; do they take out loans from payday lenders or family members; and/or do they become dependent on food pantries and food banks so they can pay their electric bill and avoid disconnection? Or do they go without food, medicine and other necessities?

ii) How much taxpayer money and donated money is spent to prevent disconnections?

iii) How often do households that have been disconnected become homeless?

iv) How much taxpayer money and donated money is spent to assist households that have been disconnected and need emergency services and/or become homeless?

The 2019 GDS report suggested that GMP adopt a Tiered Discount Program. Our submissions to the Commission have suggested that Connecticut's Tiered Discount Program serve as the model. The existing 25% discount does not come close to meeting the need for those households that are enrolled.

In Case No. 20-0203-INV, the Commission modeled rate impacts for utilities other than GMP if they were to adopt an EAP similar to GMP's inadequate program. There has been no modeling of the cost of adopting a Tiered Discount Program by GMP or BED or VEC. Judging from the experience in the other New England states, the cost is likely to be significant but not unacceptable.

The costs to ratepayers will not be minor—but the cost to ratepayers cannot be evaluated without consideration of the economic and social costs that such a program would *avoid*. So far, in this investigation, that question has not been asked or answered.

Questions that I hope will be addressed by Vermont's utilities at a workshop include:

v) What will be the cost of adoption of a Tiered Discount Program similar to Connecticut's? GMP's and other utilities' staff have the data and the ability to model this for their own service territories.

vi) How does this cost compare to the social and fiscal costs that a Tiered Discount Program would avoid?

vii) For each utility, what fixed charges and/or what volumetric rates would be needed to fund a program similar to Connecticut's? GMP's and other utilities' staff have the data and the ability to determine this for their own service territories.

viii) Should customers who benefit from the program be exempt from paying for the program?

ix) Should customers who do not qualify for the program, but whose income falls below 60% or 80% of state median income, be exempt from paying for the program?

x) Should Vermont follow New Hampshire's example by having a statewide rate base and then allocating the funds to each service territory by need? Would municipal utilities and cooperatives be better off under this system than at present?

xi) Should municipal utilities and cooperatives be authorized to opt out of a statewide system, so their ratepayers would neither pay for the program nor receive the benefits?

The number of participants in GMP's EAP has declined by 26% since 2019, despite expected increases due to changes in enrollment standards and processes, such as automatic enrollment and an increase in income eligibility to 185% of the federal poverty level. The Commission and the General Assembly need to know why that has happened before addressing how to better protect low-income Vermonters. I hope that the Commission will ask GMP to submit a narrative, and any supporting data, addressing why the number of participants has declined, and to do so in advance of a second workshop so that the Commission and stakeholders can ask GMP about its submissions.

xii) Why has the number of GMP EAP participants declined since 2019?

Answers to the Commission's Questions

Based on the information and questions above, I am responding to the Commission's seven questions as follows.

1. Is a statewide electric or energy assistance program needed?

With regard to electricity, the available evidence compels the conclusion that Vermont needs to do a much better job of making electricity affordable for its low-income consumers. Improved protection of low-income ratepayers should be seen as a means of attaining greater electrification and reducing greenhouse gas emissions, and doing so in a fair and just manner. Whether an improved electric assistance program should be statewide depends, in part, on answers to the questions posed above.

2. Better coordination to reduce energy consumption or costs?

An improved program could automatically enroll in an EAP each person who qualifies for a low-income weatherization program. However, answers to the questions posed above bear upon this question.

3. Removal of obstacle to coordination of programs?

See prior answer.

4. Statewide program:

    a. Modify existing programs or start new ones?

With regard to electricity, until more information is provided, it is premature to answer this question. See above.

    b. Appropriate financing?

Many states that offer Tiered Discount Programs utilize volumetric charges on all rate classes. Given that Vermont has one or more very large industrial users, a cap would be needed in order to make it possible for those businesses to continue to afford the high volume of electricity they require. Fixed charges, similar to those used for GMP's EAP, also could be used, but at a higher rate than the current charges.

Modeling of the amount of the charge or increase is needed. See above.

The Vermont Low Income Trust for Electricity (VLITE) is a nonprofit organization that already exists. It currently provides funding for low-income weatherization. If VLITE is willing, ratepayers could be given the option when paying their monthly bill to make a tax deductible donation to VLITE for VLITE to redistribute to fund an expanded low-income protection program.

    c. Eligibility?

With regard to electricity, the eligibility requirements of the Connecticut Tiered Discount Program seem appropriate as a model for Vermont.

    d. Determining eligibility?

In Connecticut, the agency equivalent to DCF determines eligibility. We recommend the same here.

5. Will total energy costs decline?

Others have the expertise to address this.

6. Other issues from the workshop?

Mr. Behimer has prepared detailed responses to questions the Commission asked him that he was unable to answer at the time. His responses are attached.

7. Another workshop?

See above. The Commission needs more information.

Thank you for this opportunity to comment.

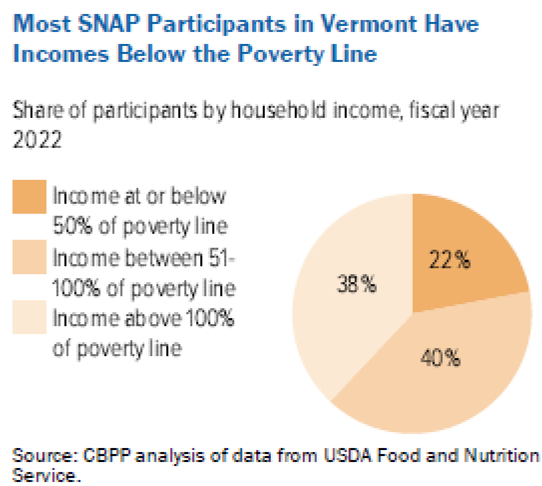
Sincerely,

/s/James A. Dumont
James A. Dumont, Esq.

Case No. 25-0443-INV

Response to July 16, 2025 Workshop Questions by Benjamin Behimer, VLGS 2026

1. How many Vermonters are eligible to be auto-enrolled under the proposed system, and how many are eligible, regardless of whether they are eligible to be auto-enrolled?
    a. 3SquaresVT **households**: 39,213 (for the most recently available month of May 2025).[1]
        i. Additionally, although not exactly matched with the proposed income eligibility levels, this chart (below) is the closest I could find (from



January 21, 2025).[2]
    b. Reach Up had 3,347 **households** receiving benefits on average each month.[3]
    c. Essential Person Program: usually less than 150 participants (most likely 1 participant equals one **household**) each year[4]

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[1] https://www.dropbox.com/scl/fi/it5w88t1z88y9ravesje0/3SquaresVT-participation.xlsx?rlkey=xty6ti3zjlcrhgr9qexr67g9m&dl=0; the data was pulled from "state level participation and benefits" https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap

[2] https://www.dropbox.com/scl/fi/n760wqbj9hn3x33rr5ijm/3SquaresVT-FPL-levels.pdf?rlkey=596sl38oid5nlc8lxdn0bkg3x&dl=0 1

[3] https://www.dropbox.com/scl/fi/8ria7yy2vitkqfqn9k7sd/The-State-of-Vermonts-Children-2024-Year-in-Review.pdf?rlkey=h2axnj37w3eub1rkmrfsbnucy&dl=0 14

[4] https://www.dropbox.com/scl/fi/jzlgwdb37fja0f0nom6ja/Essential-Person-Program.pdf?rlkey=zdczh1tp1e8ga49hwr14uov3s&dl=0 16

d. Supplemental Security Income: 14,094 **individuals** (number of households not explicitly stated).[5]
    i. Vermont average household size: 2.80.[6]
        1. This equates to approximately 5,033 households.
e. Medicaid: 168,000 **individuals** receive Medicaid (number of households not explicitly stated).[7]
    i. Vermont average household size: 2.80.[8]
        1. This equates to approximately 60,000 households.
f. TOTAL number of Vermonters below 200% FPL: 143,000 as of 2023, approximately 22.9%.[9]
    i. Vermont average household size: 2.80.[10]
        1. This equates to approximately 51,071 households.
g. Vermonters who are **ineligible** for auto-enrollment, but still eligible for the proposed program (under 200% FPL).
    i. I **excluded Medicaid numbers** from this calculation because Medicaid eligibility is up to 213% for pregnant women and 317% FPL for children.[11]
    ii. **TOTAL:** Approximately 47,743 Vermont **households** would be **eligible for automatic enrollment** (most likely fewer, because it is likely that a recipient of one program is also a recipient of another program, and was counted twice in this calculation) based on the fact that they receive 3SquaresVT, Reach Up, Supplemental Security Income, or are in the Essential Person Program.

2. Which parts of the bills are discounted?
    a. California
        i. The California Alternate Rates for Energy (CARE) program discounts the entire bill, **less** "any charges for which CARE program customers are exempted, discounts to fixed charges or other rates paid by non-CARE program customers, or bill savings resulting from participation in other

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5 https://www.ssa.gov/policy/docs/statcomps/ssi_sc/2022/vt.html
6 https://data.census.gov/profile/Vermont?g=040XX00US50#families-and-living-arrangements
7 https://www.dropbox.com/scl/fi/p6xcn68tnimxuza8d20c4/Medicaid-VT.pdf?rlkey=or2m12jqkmv6nqol5lsnqsnc9&dl=0 1
8 https://data.census.gov/profile/Vermont?g=040XX00US50#families-and-living-arrangements
9 https://www.kff.org/state-health-policy-data/state-indicator/population-up-to-200-fpl/?dataView=1&currentTimeframe=0&selectedDistributions=under-200percent&selectedRows=%7B%22states%22:%7B%22vermont%22:%7B%7D%7D%7D&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D
10 https://data.census.gov/profile/Vermont?g=040XX00US50#families-and-living-arrangements
11 https://vtlawhelp.org/income-limits-medicaid

    programs, including the medical baseline allowance pursuant to subdivision (c) of Section 739."[12]

b. Connecticut
    i. Under the "old" system, which will soon be replaced, the discount applied to the total monthly bill.[13]
    ii. Under Eversource's 5-tiered discount program, only the first 800 kWh for non-electric heating customers and 1,200 kWh for electric heating customers is discounted.[14]
c. Maine
    i. The two main electric utilities in Maine do not provide a percentage discount on customer bills. Instead, Versant states that qualifying customers will receive a "one-time annual reduction" on their electric bills,[15] while Central Maine Power states that eligible customers "will receive their benefit in the form of a credit on their electric bill."[16]
d. Massachusetts
    i. Eversource discounts the total bill.[17]
    ii. For both the current (as of August 15, 2025) and upcoming low-income assistance program (effective August 29, 2025), National Grid applies the discount to the customer charge and to the sum of retail delivery and energy supply charges, using Basic Service as the proxy for competitive-supply or municipal-aggregation supply when billed by the utility.[18]
e. New Hampshire
    i. Liberty Utilities discounts the total bill.[19]

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[12] Cal. Pub. Util. Code § 739.1 (West).
[13] Docket 17-12-03RE11, Decision, at 2 (Oct. 19, 2022), https://www.dropbox.com/scl/fi/qqctuaa6q8o6lr4crvvit/DOCKET-NO.-17-12-03RE11.pdf?rlkey=3hl43m4p6ip6x6oi1w244tckz&e=1&dl=0
[14] *Connecticut Electric Discount Rate*, EVERSOURCE,
[15] *Versant Power's Low Income Assistance Program (LIAP)*, VERSANT POWER, https://www.versantpower.com/programs/low-income-assistance-program (last visited Aug. 15, 2025).
[16] Residential Electricity Lifeline Program § 33.5 (effective Oct. 1, 2022), https://www.dropbox.com/scl/fi/he47wwzkczu3i3tpgdxs1/Electric-Lifeline-Program-Benefits.pdf?rlkey=bhxvph5ni0ppey42vvsz0mup5&e=1&dl=0 (this is the *most up-to-date version*, despite the effective date of October 1, 2022).
[17] https://www.dropbox.com/scl/fi/6astdg5oybrpmkqyrugqy/Eversource-electric-discount-rate.pdf?rlkey=avv6q7kjbyykyeyp23f7do4zw&e=1&dl=0, at 2 (effective Jan. 1, 2025).
[18] *See* Residential Assistance Adjustment Provision, https://www.dropbox.com/scl/fi/caxr0dixftqqtk7yobxqn/National-Grid-RAAF.pdf?rlkey=gh3pzsw7npulrtjn7qtnmwwku&e=1&dl=0, at 1 (effective June 1, 2025) (explaining in detail how to the discounted rate is calculated in the second paragraph, which is applicable to billing dates both before and after August 29, 2025).
[19] https://www.dropbox.com/scl/fi/5xbxbrk3o99ek5nw8gfem/LIBERTY-UTILITIES-SBCpdf.pdf?rlkey=x71g6poc863ezymnfij69mee5&dl=0 24

    ii. Eversource applies it to “all applicable Delivery Service and Default Energy Service rate charges which includes the Customer Charge, any Meter Charge, the Distribution Charge, the Transmission Charge, the Stranded Cost Recovery Charge, the System Benefits Charge, the Regulatory Reconciliation Adjustment and the Default Energy Service Charge for the first 750 kWh of monthly usage per service account.”[20]
  f. Ohio
    i. Not applicable. The bill isn’t discounted in the traditional sense. Rather, participants pay the greater of 10% of their monthly income or $10.[21]

3. How did Connecticut decide on the discount cap of 800 kWh for non-electric heating customers and 1,200 kWh for electric heating customers?
  a. PURA set the discount caps at the third quartile of their hardship customers’ usage.[22] In other words, PURA set the discount caps so that 75% of customers enrolled in the discount program would be under the usage cap (all else being equal).[23]
  b. PURA explicitly mentioned that New Hampshire had a usage cap of 750 kWh as a factor that influenced its decision.[24] Additionally, PURA noted the importance of conservation.[25]
    i. The NH PUC’s reasoning for the 750 kWh cap reflected a balance between two competing interests. The PUC reasoned that the 750 kWh cap would provide “help to those who use more electricity because of medical needs or large family size, but at the same time the cap will remain modest enough to reinforce the importance of conservation.”[26]

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[20] https://www.dropbox.com/scl/fi/o0dniez52pbz3wprrvmpy/Eversource-NH-electric-tariffs.pdf?rlkey=rt3v9ds36gyah34ir8nkz4efv&dl=0 at revised page 48.
[21] Ohio Admin. Code 122:5-3-04(A)(1).
[22] https://www.dropbox.com/scl/fi/kl50fkk19hgpyw9iflckr/PURA-Discount-cap-reasoning.pdf?rlkey=cc4he97v558jcpqko8qhgrz2e&dl=0 27
[23] https://www.dropbox.com/scl/fi/kl50fkk19hgpyw9iflckr/PURA-Discount-cap-reasoning.pdf?rlkey=cc4he97v558jcpqko8qhgrz2e&dl=0 27
[24] https://www.dropbox.com/scl/fi/kl50fkk19hgpyw9iflckr/PURA-Discount-cap-reasoning.pdf?rlkey=cc4he97v558jcpqko8qhgrz2e&dl=0 26
[25] https://www.dropbox.com/scl/fi/kl50fkk19hgpyw9iflckr/PURA-Discount-cap-reasoning.pdf?rlkey=cc4he97v558jcpqko8qhgrz2e&dl=0 26
[26] https://www.dropbox.com/scl/fi/31buh418e97vda60lwrlb/NH-PUC-Order-No.-25-544.pdf?rlkey=ucztwthrn6t5ieqs0m4kwtkw6&dl=0 2

1. The PUC reaffirmed the 750 kWh cap in 2023.[27]

4. Is CT decreasing the SBC for its new program?
    a. I did not find anything from PURA about decreasing the SBC specifically because of the new LIAP.
    b. However, the CT legislature recently passed a bill that authorized up to $155 million annually in bond sales to help reduce the SBC for the next two years.[28] This includes "$125 million to pay off unpaid bills that accumulated during the COVID-19 pandemic, along with $30 million to cover the costs associated with the state's electric vehicle charging program."[29]

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[27] *See* https://www.dropbox.com/scl/fi/x1fa7bj318uv09myfs9lb/NH-PUC-Order-No.-26-870.pdf?rlkey=082mbjqq0gs7cp5bswedb2ffy&dl=0 5 (approving recommendation 1, thereby keeping the cap at 750 kWh).
[28] https://www.cga.ct.gov/2025/ACT/PA/PDF/2025PA-00173-R00SB-00004-PA.PDF
[29] https://ctmirror.org/2025/08/01/ct-public-benefits-charge-electric-billslls/

Connecticut Approved Five-Tier LIDR and Income Eligibility Thresholds[30]

New Tier	Discount Amount	Gross Income Limit (Federal Poverty Level)	Prior Tier
Tier 1 (212-275% FPL | 60% SMI)			
ALMB/SLMB	5%	212-246%	1
Husky B Band 1	5%	292-254%	1
Husky B Prenatal	5%	263%	1
Husky A Pregnant / Postpartum	5%	263%	1
Husky C Long Term Services and Supports	5%	225%	2
Special / Limited Medical Benefit	5%	263%	1
CEAP Level 3	5%	275% (60% SMI)	1
Tier 2 (161-211% FPL)			
SNAP	15%	200%	2
CEAP Level 2	15%	200%	1
Husky A Chilrden	15%	201%	2
QMB (lowest $ Medicare Savings Program)	15%	211%	2
Tier 3 (126-160% FPL)			
Husky D	20%	138%	2
Husky A Parent	20%	138%	2
Tier 4 (101-125% FPL)			
CEAP Level 1	40%	125%	2
Tier 5 (Up to 100% FPL)			
Temporary Family Assistance	50%	55%	2
Refugee Assistance	50%	55%	2
Husky C (non-LTSS)	50%	58%	2
SAGA	50%	225%	2
State Supp	50%	225%	2

30 https://www.dropbox.com/scl/fi/w6egl0mpl4qrgh6qnyw5u/PURA-Annual-Report-2024.pdf?rlkey=nrijkdfv1z6c80a86jjjwh06d&dl=0