

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 25-1396-TF

Tariff filing of City of Burlington Electric Department for approval of revisions to its Energy Assistance Program to expand eligibility criteria effective September 1, 2025	
---	--

Order entered: 12/16/2025

ORDER APPROVING REVISIONS TO ENERGY ASSISTANCE PROGRAM TARIFF

In this Order, the Vermont Public Utility Commission (“Commission”) adopts the following proposal for decision.

PROPOSAL FOR DECISION

I. INTRODUCTION

This case concerns the petition that the City of Burlington Electric Department (“BED”) filed with the Commission for approval of proposed changes to BED’s Energy Assistance Program (“EAP”) tariff.

The proposed changes would expand the EAP eligibility criteria to allow for enrollment of customers that are non-profit housing entities providing affordable housing or temporary-shelter housing to clients and residents who meet the EAP’s income eligibility threshold of at-or-below 185% of federal poverty level. Additionally, BED has removed language restricting net-metering customers from enrolling in the EAP rate.

As discussed below, I recommend that the Commission approve the revised EAP tariff and direct BED to file a compliance tariff with an effective date no sooner than the date of today’s order.

II. PROCEDURAL HISTORY

On July 15, 2025, BED filed proposed revisions to its EAP tariff sheet and a cover letter describing the changes (“Cover Letter”).

On July 25, 2025, Commission staff issued a request for information.

On August 8, 2025, BED filed a response to the information request (“August Response”).

On August 21, 2025, the Vermont Department of Public Service (“Department”) filed comments recommending that the Commission allow the tariff revisions to go into effect without further investigation or hearing.

On August 29, 2025, the Commission issued an order opening an investigation into the tariff filing to seek further specificity and transparency regarding customer eligibility for the housing entities, including documentation needed to support the initial application. The Commission included a second information request in the order.

On September 18, 2025, BED filed a response to the second information request (“September Response”) including a redlined tariff sheet with further revisions (“Revised Redlined Tariff”).

On October 2, 2025, the Department filed comments on the September Response recommending that the Commission approve BED’s request for revisions to its EAP tariff as presented in the Revised Redlined Tariff.

No other filings were received.

No party has requested an evidentiary hearing. Accordingly, the following documents are admitted as if presented at a hearing: Cover Letter; August Response; September Response; and Revised Redlined Tariff.¹

III. FINDINGS

Pursuant to 30 V.S.A. § 8(c), and based on the record and evidence before me, I present the following proposed findings of fact to the Commission.

1. The revised tariff language expands eligibility for participation in the EAP to customers that are non-profit housing entities providing affordable housing or temporary-shelter housing to residents and clients who meet the EAP’s income eligibility threshold of at-or-below 185% of federal poverty level. Revised Redlined Tariff at 1.

2. For customers that provide housing shelters, an authorized customer representative must provide BED with a signed attestation that all of its clients meet the U.S. Department of

¹ If any party has an objection to any of these documents being entered into evidence, the party must submit its objection within 14 days of the date this order is entered.

Housing and Urban Development definition of “homeless” and/or have an annual income between \$0 and \$1,000. Revised Redlined Tariff at 2.

3. For customers that provide affordable housing, an authorized customer representative must provide BED with a signed attestation that all its residents have provided documentation of household income at-or-below 185% of federal poverty level at intake and are expected to continue to provide this documentation on at least an annual basis. Revised Redlined Tariff at 2.

4. An eligible customer must attest that all electricity costs for clients and/or residents are paid by the customer. BED will verify by confirming that there are no individually metered units at the property. Revised Redlined Tariff at 2; September Response at 2.

5. An eligible customer must also attest that clients and/or residents will receive access to benefits that are valued at a proportionate share of the amount of the EAP discount. Redline Tariff at 2.

6. For customers that provide housing shelters, examples of acceptable benefits include additional wellness, transportation, and medical services; and expansion of program services such as food and recovery support. Revised Redline Tariff at 2.

7. For customers that provide affordable housing, examples of acceptable benefits include reduced rent or another documented reduction of monthly expenses for residents that is a proportionate share of the amount of the EAP discount. Revised Redline Tariff at 2.

8. BED estimates that the additional annual cost of the proposed tariff change would be approximately \$45,000 to \$50,000 if all eligible non-profit housing entities enroll in the EAP. Cover Letter at 2.

9. BED has identified housing properties at 19 locations that could meet the eligibility criteria. Of these 19 locations, six provide affordable housing and 13 provide supportive or temporary housing. August Response at 2.

IV. DISCUSSION AND CONCLUSION

I have reviewed the tariff filing, the Revised Redlined Tariff, BED’s additional filings, and the Department’s comments. I recommend that the Commission approve the tariff changes to authorize expansion of the EAP eligibility criteria to allow for enrollment of customers that are non-profit housing entities providing affordable housing or temporary-shelter housing to

residents or clients who meet the EAP's income eligibility threshold. Additionally, BED has removed language restricting net-metering customers from enrolling in the EAP rate. BED states that it did not previously include net-metering customers as eligible for the EAP tariff due to a billing system complication and that it has resolved this billing issue.² Therefore, BED proposes to remove the language restricting net-metering customers from enrolling in the EAP.

In response to the Commission's information requests, BED provided a revised proposed tariff sheet that includes additional details on eligibility and attestation requirements. BED includes a requirement in the tariff that any discount received by the customer from participation in the EAP be passed on to clients and residents. BED provides specific examples of acceptable means to implement this requirement. Additionally, BED requires that a customer's authorized representative provide an attestation of income eligibility and of its plan to pass on savings received through EAP participation to residents and clients. These clients and residents will benefit from the savings received by the customers through access to additional services.

I recommend that the Commission approve BED's proposed tariff changes to expand eligibility for participation in its EAP to include non-profit housing entities providing affordable housing or temporary-shelter housing to residents and clients who meet income requirements. I further recommend that the Commission conclude that BED's revisions to the initially proposed tariff sheet adequately specify eligibility requirements and selection criteria and satisfy the requirements of the non-discrimination objectives of 30 V.S.A. § 219. Further, the Department recommends that the tariff changes be approved.

For the reasons described above, the Commission should approve BED's EAP tariff changes to take effect no sooner than the date of today's order. The Commission should require BED to file a compliance tariff with the language presented in the Revised Redlined Tariff within 10 days of the issuance of today's order.

² Cover Letter at 1.

This Proposal for Decision has not been circulated to the parties pursuant to 3 V.S.A. § 811 because it is not adverse to any party.



Andrea C. Poppiti
Hearing Officer

V. ORDER


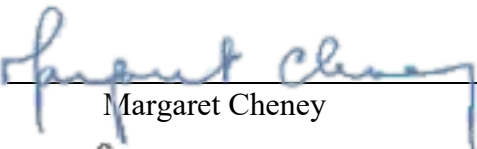
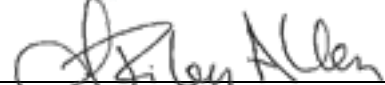
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Utility Commission (“Commission”) of the State of Vermont that:

1. The findings, conclusions, and recommendations of the Hearing Officer are adopted. All findings proposed by parties, to the extent that they are inconsistent with this order, were considered and not adopted.

2. The proposed changes to the Energy Assistance Program (“EAP”) tariff as filed by the City of Burlington Electric Department (“BED”) on September 18, 2025, are approved to take effect no sooner than the date this order is issued.

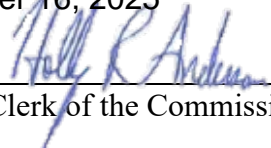
3. BED must file a compliance tariff with the language presented in the redlined version of the tariff filed on September 18, 2025, and an appropriate effective date, within 10 days of the issuance of this order in the compliance subcase of this case.

Dated at Montpelier, Vermont, this 16th day of December, 2025.

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

OFFICE OF THE CLERK

Filed: December 16, 2025

Attest: 

Clerk of the Commission

Notice to Parties: Appeal of this decision to the Supreme Court of Vermont must be filed with 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 Commission within 28 days of the date of this order.

PUC Case No. 25-1396-TF - SERVICE LIST

Parties:

James Gibbons
City of Burlington Electric Department
585 Pine Street
Burlington, VT 05401
jgibbons@burlingtonelectric.com

(for City of Burlington
Electric Department)

Henry Mauck
112 State Street
Montpelier, VT 05620
henry.mauck@vermont.gov

(for Vermont
Department of Public
Service)