

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 25-2607-INV

Investigation into the City of Burlington Electric Department's operations and management practices	
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Order entered: 12/19/2025

ORDER DENYING MOTION FOR INTERVENTION

This case involves an investigation into the City of Burlington Electric Department's ("BED") operations and management practices in response to recent regulatory errors, inconsistencies, and shortfalls in BED's engagement with the Vermont Public Utility Commission ("Commission"). In this order, we deny Pike Porter's motion for intervention.

On October 22, 2025, we issued an order opening an investigation into BED's operations and management practices.

On October 23, 2025, Burlington resident Pike Porter filed a motion to intervene in this case.

On November 6, 2025, BED and the Vermont Department of Public Service ("Department") separately filed responses opposing Mr. Porter's intervention motion.

Mr. Porter has moved for permissive intervention pursuant to Commission Rule 2.209(B), asserting that the "[p]ublic interest necessitates that the Commission ensure that information provided by BED to Burlington rate payers and the city council is accurate, truthful and not misleading."

Commission Rule 2.209 governs intervention in proceedings before the Commission. Commission Rule 2.209(B) reserves to the Commission the power to grant intervenor status on a permissive basis:

(1) when a statute or Commission rule confers a conditional right to intervene; or
(2) when an applicant's claimed interest shares a question of law or fact in common with the matters that must be resolved in the proceeding.

In exercising its discretion under Commission Rule 2.209(B), the Commission must consider whether intervention will unduly delay the proceeding or prejudice the interests of existing parties or of the public.

A potential party's interests must be sufficiently distinct from the general public's interests to warrant intervention.¹ The Commission also evaluates whether a potential intervenor has a particularized interest in a Commission proceeding.²

We find that Mr. Porter's stated interest is not sufficiently distinct from the general public's interests to justify intervention in this case.³ Mr. Porter has not articulated a particularized interest beyond a general interest in holding BED accountable for the accuracy of representations made to the city and its ratepayers. The Department is a party in this case and is statutorily charged with representing the public interest, including the interest voiced by Mr. Porter in his motion.⁴

Mr. Porter may file public comments in this proceeding for the Commission and the parties to consider as this investigation proceeds.

SO ORDERED.

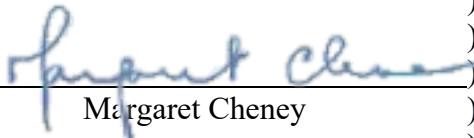
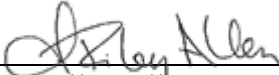
¹ *Petition of Green Mountain Power Corporation for approval of a multi-year regulation plan*, Case No. 18-1633-PET, Order of 9/24/18 at 3 (quoting *In re Petition of Green Mountain Power Corporation*, 2018 VT 97, ¶ 16) (“[a person’s] interests as a ratepayer did not constitute a substantial, particularized interest, because [the person’s] position was not distinct from that of any other generic, individual ratepayer.”) This order was based on the “particularized interest standard included in a previous version of Rule 2.209. See also *Petition of Vermont Gas System*, Case No. 25-0055-PET, Order of 5/20/25 at 10; *In re Snowstone LLC Stormwater Discharge Authorization*, 2021 VT 36, ¶ 16, 214 Vt. 587, 256 A.3d 62 (“A ‘particularized interest’ for the purposes of these environmental statutes is an interest that sets the interests of the would-be party apart from the general interests of others.”).

² See *Petition of Vt Real Est. Holdings 1 LLC*, Case No. 23-1447-PET, Order of 8/25/23 at 5 (granting intervention where party had demonstrated particularized interest); *Petition of Vermont Renewable Gas LLC*, Case No. 24-2797-PET, Order of 12/8/24 at 2 (limiting participation of a party to only issues where they had demonstrated a particularized interest).

³ This case is distinguishable from a recent case where Mr. Porter was granted permissive intervention in a Commission proceeding. In Case No. 23-3799-PET involving approval of BED’s 2023 Integrated Resource Plan, Mr. Porter was granted intervention related to narrow issues surrounding the economic impact of the McNeil Generation Facility because, in part, Mr. Porter offered to present expert testimony that was potentially distinct from the Department’s position. *Petition of City of Burlington Electric Department for approval of its 2023 Integrated Resource Plan*, Case No. 23-3799-PET, Order of 2/23/24 at 8. No party has argued in this case that Mr. Porter’s interest in the accuracy and truthfulness of BED’s filings is distinct from the interests of the Department or BED.

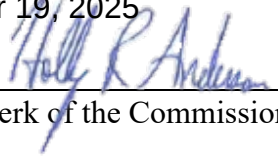
⁴ 30 V.S.A. § 2(b).

Dated at Montpelier, Vermont, this 19th day of December, 2025.

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

OFFICE OF THE CLERK

Filed: December 19, 2025

Attest: 

Clerk of the Commission

PUC Case No. 25-2607-INV - SERVICE LIST

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^Motion to Intervene pending.