

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 25-1809-TF

Tariff filing of the Town of Stowe Electric Department for approval of EV and EVSE Flexible Load Management Program Effective on service rendered on or after October 1, 2025	
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April 17, 2026

**TOWN OF STOWE ELECTRIC DEPARTMENT
RESPONSE TO PROPOSAL FOR DECISION**

Pursuant to the Vermont Public Utility Commission’s (“Commission”) Hearing Officer’s Proposal for Decision filed on April 7, 2026, participants can provide comments by April 17, 2026. The Town of Stowe Electric Department (“SED”) objects to the conclusion that the electric vehicle (“EV”) and electric vehicle supply equipment (“EVSE”) flexible load management program (hereafter Program) filed in this docket fails to meet the criteria in Section 33(c)(1) of Act 55. With modifications to the proposed tariff explained by SED herein, SED requests Commission approval of its Program. SED now provides the following comment in support of its position.

I. The Commission’s Hearing Officer’s and Department of Public Service’s conclusory statements are insufficient to show SED’s Program Design fails to meet the criteria set forth in Section 33(c)(1).

The Hearing Officer states out of six Act 55 criteria, SED “fails to meet at least two¹.” This determination is based on the Vermont Department of Public Service’s (“Department”) unsupported conclusion that the time of use rate (“TOU”) component of the Program’s design is

¹ Case No 25-1809-TF, *Hearing Officer’s Proposal for Decision* of 4/2/2026 at 10.

complicated and punitive². Aside from referring to the Department’s opinion, the Hearing Officer has not provided any rationale to support the finding that SED’s program design fails to satisfy Section 33, Act 55.

SED points out that the Commission has approved rates presented by other utilities under this statute that offer as many as three different tariffs choices³. For example, the record in Case No 23-3611-PET does not show any inquiry by the Department or Commission into the “complexity” of offering three distinct tariffs for customers to evaluate and decide which might be most advantageous to their household.

Act 55 statute provides six criteria on which the Commission must base its decision to approve a PEV rate filed by a utility⁴. Not one of these factors references complexity or punitive rate design. Instead, the factors are focused on “adequately” compensating EV operators, and EVSE owners for “the value of grid-related services” provided by publicly available charging.⁵ This also includes “adequately” compensating the utility and ratepayers for the costs “directly attributable,” including the “historic or embedded costs,” to serve EV loads under the proposed rate design.⁶ The utility must also avoid discouraging the use of publicly available EVSE or “harm ratepayers that do not elect to take service under the proposed rate⁷. The utility’s rate design also may include managed loads, “time-differential price signals” and “rates for electricity sales to an entire customer premises”⁸.

² Case No 25-1809-TF, *Hearing Officer’s Proposal for Decision* of 4/2/2026 at 10.

³ See e.g. Report to the Vermont State Legislature. Act 55: 2025 Report on Electric Rates for Electric Vehicles, 01/15/2025.

⁴ Public Act No. 55 (2021 Vt., Bien. Sess.) Sec. 33 (b)(1)(A)-(F).

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ Public Act No. 55 (2021 Vt., Bien. Sess.) Sec. 33(a) & (b).

SED has provided pre-filed testimony and rebuttal testimony in support of its Program design, which provides support for how its Program meets the criteria enumerated in the statute, and provides a solution to EV/EVSE loads in SED's service territory based on least-cost integrated planning. Succinctly restated here, SED's Program is based on successful EV/EVSE programs that are available in New England and Vermont and applied to the SED's specific cost of service characteristics. The Program provides compensation to customers that participate in this voluntary program through a combination of reduced off-peak rates, Tier III rebates, an enrollment incentive, and a monthly incentive for participating in peak curtailment calls. SED's Program does not penalize customers who voluntarily enroll in the rate or those ratepayers who elect to utilize publicly available charging stations or decide not to enroll into the proposed rate.

Despite the Department's feeling that the Program design is complicated, ongoing research shows that time of use rates "are simple and effective in shifting controllable loads away from peak periods," which is, in part, a result of customer participation rates increase "when energy consuming devices (e.g. thermostats, dryers, etc.) are controlled automatically using internal settings or remote connections with any aggregator for demand response⁹." SED's Program is based on this methodology and relies on Connected Homes, which utilizes Virtual Peaker's cloud management platform to manage WIFI enabled devices paired with MMWEC's load forecasting services to accurately make load curtailment calls in ISO-NE¹⁰.

SED has shown that Connected Homes, even when paired with time of use rates, has been successful in several service territories throughout New England¹¹. Connected Homes has over 3,500 devices enrolled across 18 public power utilities, and more than 500 of the enrolled

⁹ C. Birk Jones, et. al., Impact of Electric Vehicle customer response to Time-of-Use rates on distribution power grids, Energy Reports 8 (2002) 8225-8235. p.1. Internal citations omitted.

¹⁰ Lazorchak pf. rebuttal testimony at 3.

¹¹ *Id.*

devices are EVs and another 200 devices are EVSEs. This number includes over 400 EVSE's that are curtailed daily based on when electric rates are the most expensive, i.e. during on-peak times. There are multiple utilities enrolled in Connected Homes that pair the demand side management program with time of use rates¹². For example, Concord, MA, pairs EV/EVSE load curtailment with their TOU rate plans. This shows that customers are more than capable of understanding the program and the pairing of a voluntary demand management program and time of use rate.

The Hearing Officer's Proposal for Decision also confuses a key point about implementing voluntary time of use rates. But for the price signal to customers to shift discretionary loads from on-peak times to off-peak times, there is no incentive for a customer to shift their electric clothes dryer to off-peak times. The purpose of SED's program is to incentivize customers to make behavioral changes to shift discretionary loads, including EV/EVSE, to off-peak hours when energy prices are at their lowest. If a customer only enrolls in a demand-side management program for their EV/EVSE, then they would not have to make any behavioral changes when they charge their vehicle. This would create a situation where a customer with an enrolled EV or EVSE could participate in a load curtailment event during off-peak hours but run their electric clothes dryer or any other discretionary electric load during on-peak hours. This would erode any savings to the utility and our customers for curtailing loads during a peak or shifting discretionary loads to off-peak. This would allow customers to continue to operate their discretionary loads decoupled from the impact they are causing to the electric grid, which would not "adequately" compensate the utility and ratepayers for costs attributable to serving EV/EVSE loads through a tariff.

¹² Id.

II. SED's Program Design is the least-cost option to satisfy Section 33(c)(1) and SED's software and billing capabilities.

SED worked with two subject matter experts to design an innovative demand-side management program that incorporates load curtailment and provides a financial incentive for customers to shift discretionary loads from expensive on-peak time periods to off-peak time periods. SED also worked with our billing staff and billing provider to select a Program design that we can implement without additional software fees and increased staffing costs. SED has already completed the software design to implement, upon Commission approval, the TOU rates in Case No 25-1792-TF. Additionally, NISC's billing software offers a mechanism to import Connected Homes participation data provided by MMWEC to apply appropriate credits to each participating customer's account, eliminating the need for manual adjustments by SED staff. SED can implement this Program design without incurring new administrative or software fees.

As already stated above, the customer is eligible for several financial benefits in exchange for enrolling in the Program and participating in peak curtailment events. The enrollment process is also straightforward and follows the same framework a customer would follow to enroll in a new rate or enroll another device into Connected Homes. A customer, with a qualifying EV or EVSE, simply needs to navigate to <https://www.stowelectric.com/ch> and complete the online registration. MMWEC staff will verify the customer's information with SED staff, and, assuming the customer provided accurate information, enroll the customer into Connected Homes. Once the customer is enrolled in Connected Homes, they will receive automated alerts through Virtual Peaker's platform prior to any peak curtailment event that will be called for enrolled devices.

If a customer decides that a particular curtailment call on a particular day is not convenient for their needs, then they can simply opt out of the call. If the customer opts a device out of 3 or more events in a month, they will not receive the incentive for that device during that month. Other enrolled devices that participated in the curtailments are still eligible for that month's incentive(s). After a customer enrolls their EV or EVSE into Connected Homes, the only additional consideration for them to take is whether to opt-out of a curtailment call.

III. Proposed Modifications to offer an efficient resolution of this docket.

In the effort to resolve this matter without further litigation, SED proposes making the following adjustments to the Program design filed in this tariff¹³.

- *SED customers have access to their AMI data through the SmartHub portal, which offers useful data for customers to evaluate the potential impact of enrolling in this Program based on their energy consumption trends. SED staff are available to provide customers with assistance in understanding rates and options.*
- *SED will allow customers who enroll in the EV program to opt out of the Program and TOU rate within the first 90 days. After 90 days, the customer will have to notify SED at least 30 days before their 12-month anniversary date that they want to opt-out or change their rate of service.*
- *If a customer opts out within the first 90 days after enrollment, they will not be allowed to reenroll in the program for a period of 24-months ¹⁴.*

IV. Conclusion

SED argues that the Department must make an evidentiary showing of more than mere opinion that a utility's program design is overly complex before the Commission relies on that opinion to overturn a utility's program design. The Department's opinion also overlooks the role

¹³SED appreciates the suggestion to utilize Sections 225 and 226 of Title 30 to seek approval of this tariff. However, it's not clear how that approval process, which would take a minimum of another seven months, would resolve the issues presented in this docket, help SED meet Section 33 of Act 55, or make the program design proposed herein available to our customers.

¹⁴ As stated in our pre-filed testimony, limiting the number of times a customer can leave a demand-side management program and time of use rate to once per year, limits the impact of free-ridership on rate design and our cost of service.

of public power utilities and our mission to serve our customers by providing safe, reliable, and least-cost power that includes opportunities to insulate themselves from price volatility in power markets. This is reinforced by the Town of Stowe's Electric Utility Commission voting in favor of the Program and the Time of Use Rates that pair with this program. SED, as the local municipally owned electric department, understands our customer base and we develop programs to meet their needs. The Commission should carefully consider the public power approval process before relying on the Department's opinion to overturn local decision-making.

DATED at Stowe, Vermont this 17th day of April, 2026

Respectfully submitted,
Town of Stowe Electric Department

By:

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