

Joshua R. Diamond, Esq.
E-mail: jdiamond@dinse.com

July 31, 2026

By Email and EPUC

Holly R. Anderson
Clerk of the Commission
112 State Street
Montpelier, VT 05620-2701
puc.clerk@vermont.gov

Re: Investigation into City of Burlington Electric Department's
Operation and Management Practices, Case No. 25-2607-Inv.

Dear Ms. Anderson:

On behalf of the City of Burlington Electric Department ("BED"), BED submits this letter to inform the Public Utility Commission ("Commission") of its position regarding the recently filed consultant report and the litigation schedule as contemplated in the scheduling order issued on July 14, 2026. BED does not seek to issue discovery on the Department of Public Service ("Department"), and it would support the waiver of additional processes set forth in the scheduling order for the reasons set forth below.

In that scheduling order, the Commission stated that the discovery process would enable the Commission to have a "comprehensive understanding of the parties' positions regarding the report." It also states that an evidentiary hearing and prefiled testimony would allow the Commission to "probe any outstanding questions or disagreements between the parties" and provide the Commission "an evidentiary basis to make findings of fact in a final order if needed."

BED has worked hard and productively during this audit process to ensure the consultant had access to the interviews, information, and systems needed to issue its report. BED understands the report lays out BED's prior shortcomings in meeting the standard for performance in the regulatory space that the Commission and Department expect of BED, and that BED expects of itself. BED supports without reservation the recommendations issued in the report. It seeks to focus on implementing those recommendations and improving BED's regulatory engagement, compliance systems, and processes. BED is focused on learning from its shortcomings and errors, continuing to improve, and implementing the recommendations of this report so such errors do not recur. Recognizing that perfection is neither the standard in the report nor is possible to achieve, BED will seek to implement rigorous systems and processes as outlined in the

recommendations to avoid errors or mistakes to the greatest extent possible going forward.

Therefore, BED does not seek to issue discovery on the Department. BED also supports waiving the additional process contemplated in the scheduling order, including evidentiary hearings, to the extent the report and accompanying testimony from the Department and its consultant are adequate to form the basis for a final order regarding implementation of the report recommendations. BED wants to proceed expeditiously towards implementing the report recommendations, which will be an important and resource-intensive exercise over a number of months. BED understands the implementation roadmap for recommendations contained in the report is tied to issuance of a final order by the Commission regarding the report. BED is prepared to begin implementation of the recommendations immediately if further process is not needed in this docket. With that in mind, BED agrees to the report's findings to the extent such findings form the appropriate basis for a final order seeking implementation of the recommendations without further process.

BED would reserve its rights to further process if the report findings are contemplated to be the basis for other outcomes beyond implementation of the report recommendations.

BED appreciates the work conducted through this audit with the Department and its consultant, ARC. It welcomes the opportunity to implement recommendations aimed at helping BED achieve a level of performance that is commensurate with the Commission and Department's expectations for regulatory work and engagement.

Sincerely,

/s/ Joshua Diamond

Joshua R. Diamond, Esq.

Dinse, P.C.

209 Battery Street, P.O. Box 988

Burlington, VT 05402

jdiamond@dinse.com

Counsel for City of Burlington
Electric Department