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December 5, 2018

Judith Whitney, Clerk  
Vermont Public Service Board  
112 State Street  
Montpelier, VT 05620-2701

**Re: Case Number 18-3810-INV – Investigation into Renewable Energy Standard Rulemaking**

Dear Ms. Whitney:

The Public Service Department is pleased to share this list of issues as a potential starting point for discussion at the December 10, 2018 workshop on the Renewable Energy Standard (“RES”) implementation process and provisions. Department staff will be prepared to provide additional context and details at that time.

Several of the issues below may benefit from greater flexibility to adjust to changing circumstances than is offered within the structure of a rule. The Department looks forward to discussing these topics with the Commission and stakeholders.

**I. All Tiers**

- a. Compliance Filings: A consistent process and dataset from utilities will greatly facilitate streamlined and transparent analysis of RES compliance. The Department can provide a list or template of data it deems necessary for evaluation of each tier.

**II. Tiers I and II**

- a. Accounting for Hydro-Quebec and New York Power Authority: Additional efforts should be made to ensure appropriate tracking of RES compliance attributes associated with imports from external control areas.

**III. Tier III / Energy Transformation**

- a. Defining and Calculating Administrative Costs: A consistent practice across utilities would provide clarity to all stakeholders.
- b. Annual Plans: A consistent summary table would facilitate review and comparison of the plans. Also, Commission approval of the plans would ensure

that all required plan components are sufficiently addressed and allow the Commission to reject incomplete plans.

**IV. Recommendations for Pre-Formal Rulemaking Process**

- a. Draft Rule: Having a draft rule by April 1, 2019, could allow for appropriate feedback and revisions before formal rulemaking commences on July 1, 2019.
- b. Workshops: The Department proposes workshops in January and late February/early March prior to developing a draft rule. Thereafter, a workshop in late April or early May would allow appropriate time to review and provide commentary, while permitting time for a second, post-draft workshop if needed. This schedule aims for discussion and review early on to minimize late-process revisions.
- c. Format of Rules: Given the short time since the RES program was implemented, it may be that in certain areas rulemaking should endeavor towards broadly articulated rules that allow for further refinement with the benefit of experience.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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