



October 27, 2020

Ms. Judith C. Whitney, Clerk  
Vermont Public Utility Commission  
112 State Street, Drawer 20  
Montpelier, VT 05620

Re: Case 19 – 3272 Demand Resource Plan  
Proposed schedules to consider Act 151 program additions

Dear Ms. Whitney,

During the status conference held on October 20, 2020 in the above-captioned proceeding the parties reviewed and discussed the City of Burlington Electric Department’s (“BED”) proposed schedule. For convenience, that schedule, hereafter referred to as Option A, is provided again below.

Plan A Date	Timeline
Friday, October 30, 2020	Direct pf Testimony & Act 151 program Description & Budgets
Monday, November 9, 2020	Rolling Information Requests
Monday, November 16, 2020	Last day for Information responses
Monday, November 30, 2020	DPS files testimony, if necessary
Tuesday, December 1, 2020	BED files Status update
Tuesday, December 8, 2020	Tech Hearing/ Oral reply BED
Friday, January 22, 2021	Commission Order, no later than
Friday, January 29, 2021 within 30 days of final order	Compliance filing EEC rate 20 -2022 File final Triennial plan, PUC presentation, compliance filing

After presenting the proposed Option A schedule to Public Utility Commission (“Commission”) staff, it became clear to BED that our timeline was extremely aggressive given the Commission’s existing obligations through January 2021.<sup>1</sup> Given these time constraints, BED offered to propose an alternative schedule that would extend the time for adjudicating our Act

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<sup>1</sup> Case 19 – 3272 & 20 – 2022, Status Conference of 10/20/2020, Tr. at 29 – 31.



151 proposals<sup>2</sup>. In addition to extending the procedural schedule, BED and Commission staff discussed whether any interim steps could be taken that would help to increase regulatory efficiency. This discussion focused primarily on whether it would be acceptable to keep BED’s existing EEC in effect for some period of time, subject to adjustment based on the Commission’s final rulings relative to our Act 151 request in the instant proceeding and our motion for reconsideration in Case 20 – 2241. BED believes that holding existing EEC charges constant is a preferable solution to recover BED’s traditional EEU funding requirements as opposed to setting new EEC rates now but then having to potentially amend them again at a later point in time to account for new Act 151 program activities.<sup>3</sup> .

In light of the above-noted concerns and the remaining issues to evaluate, BED proposes the following alternative procedural schedule, which we refer to as Option B. This proposal is predicated on the Commission’s willingness to allow BED’s EEC rates to be held constant at current levels until the end of the Plan B timeline. Such as solution would allow for a single adjustment to the EEC rather than multiple adjustments over time.

Plan B Date	Timeline
	BED files direct testimony & Act 151 program description & budgets, and/or supplements to any filing(s) from October 30, 2020.
Friday, November 20, 2020	
Thursday, December 10, 2020	last day of Rolling information requests
Friday, December 18, 2020	Last day of Information responses
Thursday, January 14, 2021	DPS files Testimony, if necessary
Monday, January 18, 2021	BED files status updates
Monday, February 1, 2021	Tech Hearing, if necessary, includes BED Oral reply
Monday, February 15, 2021	Parties file briefs, findings of fact
Monday, March 15, 2021	Target Date for Commission Order
5 days after PUC order	EEC Rate Compliance filing
within 30 days of final order	File final Triennial plan, PUC presentation, compliance filing

BED prefers approval of the Option B schedule captioned above. We believe this new schedule would provide the time needed to fully investigate the merits of our proposals. Option B is preferred, provided that the Commission also authorizes BED to maintain the existing EEC in place today until after the Commission makes a determination relative to our total proposed

<sup>2</sup> Tr. at 34.

<sup>3</sup> Tr. at 31.



energy efficiency budget, inclusive of funds for Act 151 activities and prior period fund carryforward application. BED will, of course, adjust the EEC to reflect the difference in funds collected, plus interest, should the Commission determine that the final DRP budget is different than the amount the existing EEC would collect. Lastly, it is important for BED to reiterate that a benefit of approving the Plan B schedule would be that it would avoid the need to make multiple EEC rate changes to reflect the addition of Act 151 activities, especially if the Commission adopts our proposal to amortize customer credits from the 2015 -2017 performance period over the next three years.

If the Commission is unable to comment on our alternative procedural schedule before the October 30<sup>th</sup> deadline, BED will submit an initial filing on October 30 as currently proposed in Plan A, above. If this alternative schedule proposal is accepted by the Commission, BED may supplement that October 30 filing on or before November 20 as shown in the Plan B schedule. To the extent that the Commission is able to comment before October 30 and also prefers Plan B, BED proposes to submit a single filing on November 20 that would include prefiled testimony along with program descriptions, designs, budgets, and supporting information.

BED appreciates the Commission's time for considering our request to amend the current 2021 -2023 DRP to include funds that would support our proposed Act 151 activities. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Thomas Lyle,  
Burlington Electric Department  
Burlington Vermont 05401  
Tel: 802-922-3204