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July 26, 2022

Ms. Holly Anderson, Clerk
Vermont Public Utility Commission
112 State Street – 4th Floor
Montpelier, Vermont 05620-2356

RE: Case No. 20-0703-PET; Emergency Disconnection Rule 2.6

Dear Ms. Anderson:

I am writing in response to comments submitted on July 19, 2022, by the Department of Public Service (the Department), which seeks clarification of Emergency Rule 2.6's language regarding the notice that is to be sent to customers.

More specifically, it appears that the Department seeks clarification of the language of the notice required by Emergency Rule 2.602. Rule 2.602 amends the required specific Disconnection Notice Form in Commission Rule 3.303 to include:

while the VHAP or VERAP are accepting applications, the website and phone number for the VHAP and VERAP as well as a notice that ratepayers who have submitted a complete application and are awaiting a determination or have been approved and the funds have not been disbursed are exempt from disconnection.

Emergency Rule 2.602 (7) prohibits disconnection if:

the ratepayer has submitted a complete VHAP application to the Vermont Housing Finance Agency or VERAP application to the Vermont State Housing Authority and the ratepayer is awaiting a determination or has been approved and the funds have not been distributed.

However, the Department raises two points: 1) that customers are limited to 18 months of assistance but believe they cannot be disconnected if they have exhausted their benefits as long as they have submitted a completed application, and 2) it is not clear that pending applications under appeal are to be considered complete applications.

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We propose that the appropriate way to clarify this situation is to allow utilities to disconnect if:

- 1) they already have notified the ratepayer of the benefit program pursuant to amended Commission Rule 3.303, AND
- 2) they have been informed by VERAP or VHAP that the ratepayer has exhausted their 18 months of assistance, AND
- 3) they have sent a new disconnection notice providing the ratepayer with the information that VERAP or VHAP report that they have exhausted the available assistance.

Further, we believe that pending applications that have been appealed should be considered to be complete applications. An applicant with a meritorious appeal should not have to experience a disconnection while they await the resolution of their appeal.

We appreciate the Department's request for clarification and encourage the Commission to consider our proposal.

Sincerely,

/s/W. David Koeninger

W. David Koeninger
Deputy Director