

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 23-2220-RULE

Proceeding to design the potential Clean Heat Standard	
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Order entered: 02/05/2024

**ORDER REQUESTING COMMENTS ON PROCESS FOR DETERMINING ANNUAL GREENHOUSE GAS
EMISSION REDUCTION REQUIREMENTS**

I. INTRODUCTION

On June 30, 2023, the Vermont Public Utility Commission (“Commission”) issued an order opening this rulemaking proceeding to design the potential Clean Heat Standard pursuant to Public Act No. 18 (2023 Vt., Bien. Sess.). Pursuant to 30 V.S.A. § 8124(a), the Commission is directed to establish the number of Clean Heat Credits that need to be retired annually in order to achieve lifecycle carbon dioxide-equivalent reductions consistent with 10 V.S.A. §§ 578(2) and (3) (the greenhouse gas reduction requirements for 2030 and 2050).¹ If the Clean Heat Standard program is approved by Vermont lawmakers, these overall numbers will be translated into requirements for individual obligated parties;² the process by which that happens will be determined separately.³

The purpose of today’s order is to begin establishing a process by which the Commission will set and adjust the schedule for the total number of credits to be retired each year over a ten-year period.

II. DISCUSSION

The Vermont Global Warming Solutions Act of 2020 sets a requirement to reduce greenhouse gas emissions compared to 1990 by 40% by 2030 and 80% by 2050, pursuant to

¹ “Clean Heat Credits” are defined by 30 V.S.A. § 8123(3) as “a tradeable, nontangible commodity that represents the amount of greenhouse gas reduction attributable to a clean heat measure.”

² “Obligated Parties” are defined by 30 V.S.A. § 8123(12) as either (A) “A regulated natural gas utility serving customers in Vermont” or (B) “For other heating fuels, the entity that imports heating fuel for ultimate consumption within the State, or the entity that produces, refines, manufactures, or compounds heating fuel within the State for ultimate consumption within the State. For the purpose of this section, the entity that imports heating fuel is the entity that has ownership title to the heating fuel at the time it is brought into Vermont.”

³ The schedule determining when the Commission will address this issue is currently under consideration as described by the Order Requesting Comments on Draft Schedule in Case No. 23-2220-RULE issued on 12/21/2023.

Vermont’s 2019 Comprehensive Energy Plan.⁴ Pursuant to 30 V.S.A. § 8124(a)(1), the Commission must set the amount of emission reductions each year necessary to achieve the Global Warming Solutions Act requirements, expressed both as a number of Clean Heat Credits and as lifecycle greenhouse gas emissions—a process we are calling “pacing.” Because the Commission has not yet established the carbon dioxide equivalency of Clean Heat Credits, for now we will use the terminology of lifecycle greenhouse gas emissions.

Under 30 V.S.A. § 8124(a)(3), the Commission must create a ten-year schedule that is updated and extended every three years. Section 8124(a)(4) provides for a good-cause adjustment to the annual requirements outside of the triennial revision process, but any such changes must have a “minimum impact” on overall compliance with the Global Warming Solutions Act of 2020. At this time, we seek input from stakeholders and members of the public as to the process by which the first ten-year schedule will initially be set, how the triennial extension and revision would be carried out, and how the good-cause temporary adjustment to the annual requirements would be made.

III. REQUEST FOR COMMENTS

The Commission is seeking recommendations on the process by which we will set and update the ten-year schedule of requirements. Important elements that should be addressed include:

1. The process and information required to set annual requirements to meet the 2030 and 2050 Global Warming Solutions Act of 2020 requirements;
2. The information, input, and public process that should go into the triennial update and extension of the ten-year schedule; and
3. The process for considering good-cause temporary adjustments of the annual requirements, and what types of information would be needed.

Additional related topics that the Commission seeks comment on include:

4. Sources of information that could inform these decisions;

⁴ 10 V.S.A. § 578 also has a 2025 reductions requirement, but that requirement is not incorporated into the potential Clean Heat Standard.

5. Sources of supplemental information/data that could help provide context for pacing decisions, including the initial schedule and updates;
6. The appropriate type and timing of input from the Technical and Equity Advisory Groups; and
7. Other design elements or considerations that should be included in the process for making pacing decisions.

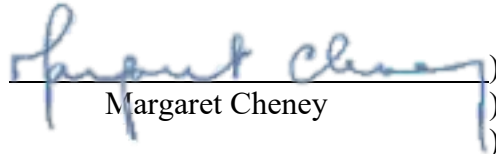
Comments must be filed by February 19, 2024, and tagged with the “[5 Pacing](#)” dropdown option when filing.⁵ The Commission will convene a workshop around the week of February 19, 2024, to discuss these written filings.⁶ Reply comments on these topics should be filed by March 8, 2024.

SO ORDERED.

⁵ See the Order titled “[Procedural Order Creating Topic Tag System for Clean Heat Standard Cases](#)” for more information on the topic tags dropdown menu.

⁶ The Clerk of the Commission will issue a separate notice establishing the date, time, and method for participating in the workshop.

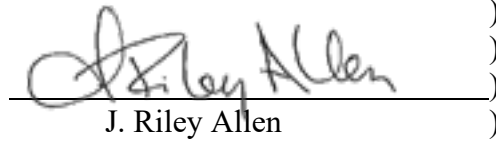
Dated at Montpelier, Vermont, this 5th day of February, 2024.


Margaret Cheney

) PUBLIC UTILITY

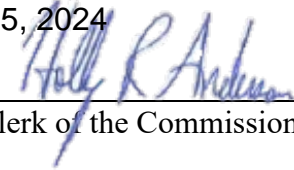
) COMMISSION

) OF VERMONT


J. Riley Allen

OFFICE OF THE CLERK

Filed: February 5, 2024

Attest: 
Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

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