

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 23-2220-RULE

Proceeding to design the potential Clean Heat Standard	
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PROCEDURES ORDER

Today’s Order establishes the procedures to maintain confidentiality of volumetric information and the identities of supplier and client businesses as directed by the Commission’s January 24, 2024, and February 22, 2024, Orders in this case.

I. INTRODUCTION & DISCUSSION

Act 18 of 2023, codified in Title 30, Chapter 94 of the Vermont Statutes Annotated, requires each entity that sells heating fuel into and in Vermont to register annually with the Vermont Public Utility Commission (“Commission”). 30 V.S.A. § 8124(b)(3) requires the Commission to “share complete registration information of obligated parties” with Vermont Department of Public Service (“Department”) and the Vermont Agency of Natural Resources (“ANR”) on an annual basis, not later than 30 days following the annual registration deadline, “for purposes of updating the Vermont Greenhouse Gas Emissions Inventory and Forecast and meeting the requirements of 10 V.S.A. §591(b)(3).”

Department and ANR will sometimes be referred to herein, where the context requires, as an “Agency” and collectively as the “Agencies.”

In Comments to the Commission, The Vermont Fuel Dealers Association (“VFDA”), Global Partners LP, and Vermont Gas Systems, Inc. (“VGS”), on behalf of registrants, requested that the Commission protect information about suppliers, customers, and fuel purchased as confidential trade secrets. On January 24, 2024, the Commission issued an Order granting

confidential treatment of the following registration information: (1) volumetric information and (2) the identities of supplier and client businesses (which information is referred to herein as “Designated Confidential Information.”)¹

II. PROCEDURES

1. In order to transmit this data to the Department and ANR, the Commission will do the following:
 - a. Print a copy of the spreadsheet;
 - b. Encrypt a native Excel spreadsheet version of the data on a thumb drive;
 - c. Place the paper copy and thumb drive in a sealed envelope on which the Clerk of the Commission will stamp across the seal of the envelope the word “CONFIDENTIAL” and write the case number and caption of this proceeding, a description of the contents, and a statement that the envelope must not be opened by anyone other than the Department or ANR.”²
2. The Agencies shall direct any agents, contractors, consultants, and other representatives to execute an agreement with the Agencies to protect the confidentiality of Designated Confidential Information before it is shared with them and to return Designated Confidential Information at the expiration of their contract with the Agencies.
3. The Agencies’ employees and agents shall protect the confidentiality of Designated Confidential Information.
4. The access of a recipient of Designated Confidential Information ceases upon termination of employment with an Agency. Any employee of an Agency who has access to Designated Confidential Information shall continue to be bound by the

¹ Order granting confidential treatment of registration information, Case No. 23-2221-INV, Order of 1/24/24, at 9.

² Order of 2/22/24.

terms of this agreement after termination of employment. Can take out when mention all.

5. If any Party to case 23-2220-RULE, entity, or any individual takes issue with the Commission's designation of registration data as confidential, they may file a motion in good faith with the Commission.
6. The burden of proving that the confidentiality of the Designated Confidential Information should be maintained is on the entity seeking to avoid disclosure.

So Ordered.

Dated at Montpelier, Vermont, this ____ *Date* _____