



**State of Vermont
Public Utility Commission**

MEMORANDUM

To: Participants in Case No. 23-2220-RULE
From: Vermont Public Utility Commission
Holly R. Anderson, Clerk of the Commission
Re: First obligation period under potential Clean Heat Standard
Date: May 3, 2024

On April 18, 2024, the Clean Heat Standard Technical Advisory Group passed a motion recommending to the Vermont Public Utility Commission (“Commission”) that “the date of 1st obligation [under the Clean Heat Standard (CHS)] cannot be before January 2026. After review of tasks necessary to implement CHS, we feel we cannot complete the tasks that would allow obligation prior to January 2026.”

On April 25, 2024, the Vermont Fuel Dealers Association and its members (collectively “VFDA”) requested a determination from the Commission “that the first obligation period commence no earlier than January 1, 2026.”¹ VFDA states that such a determination would facilitate the fuel dealers’ ability to offer pre-buy or fixed-price contracts to their customers for the 2024-2025 heating season, which are being priced now.

The Commission must submit to the Vermont General Assembly the final proposed rules to implement the Clean Heat Standard on or before January 15, 2025.²

If the Clean Heat Standard rule is authorized by Vermont lawmakers, the Commission will establish the number of clean heat credits that each obligated party is required to retire each calendar year.³ Vermont statute currently does not establish when obligations would begin.

Vermont lawmakers will ultimately decide whether and when the Clean Heat Standard rule will be approved, and that will either direct or inform when the first obligation period will commence. As such, the Commission is not in a position to offer a definitive determination that the first obligation period would not commence before January 1, 2026. However, for the purposes of the Commission’s work designing the Clean Heat Standard program and rule, we do not intend for the first obligation period to commence before January 1, 2026.

¹ Letter from Joshua R. Diamond, Law Offices of Dinse P.C. on behalf of VFDA, 4/25/24.

² Public Act 18, Sec. 6(f)(1) (2023 Vt., Bien. Sess.).

³ 30 V.S.A. § 8124(a)(1).

PUC Case No. 23-2220-RULE - SERVICE LIST

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