

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 8073

Investigation into possibility of adding an )  
additional seat to the Vermont System Planning )  
Committee )

Order entered: 7/10/2013

**ORDER OPENING INVESTIGATION**  
**AND NOTICE OF PREHEARING CONFERENCE**

**I. BACKGROUND**

The Vermont System Planning Committee ("VSPC") was established by the Vermont Public Service Board ("Board") in Docket 7081 to promote public engagement, long-term planning, and effective collaboration in addressing Vermont's electrical transmission needs. In particular, the VSPC serves to enable the timely identification of future transmission needs and address these needs by utilizing cost-effective non-transmission alternatives such as efficiency and distributed generation. To help promote public engagement in this process and ensure that the interests of residential, environmental, and commercial/industrial users of electricity are appropriately represented, the VSPC includes three public members representing each of these categories.<sup>1</sup> The VSPC's structure and purpose are set forth in a Memorandum of Understanding, most recently approved by the Board in its February 20, 2013, Order in Docket 7081 ("VSPC MOU").<sup>2</sup>

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1. Although not specifically spelled out in the Memorandum of Understanding establishing the VSPC, the Board has also selected three alternate public members to serve in the event that the principal representatives are not available.

2. The initial Memorandum of Understanding establishing the VSPC was approved by the Board in its June 20, 2007, Order in Docket 7081. This Memorandum of Understanding has been subsequently amended with the approval of the Board. The version approved by the Board in its Order of 2/20/13 in Docket 7081 reflects the cumulative changes approved by the Board and is what we refer to here as the VSPC MOU.

In March 27, 2013, Renewable Energy Vermont ("REV") submitted comments in response to a memorandum from the Board seeking comments on potential candidates for the VSPC's public member seats. In its comments, REV expressed its interest, both for itself and on behalf of its members, in participating as part of the VSPC, but noting the lack of a seat that would appropriately fit its roles and mission in the VSPC's current configuration.

On May 2, 2013, the Clerk of the Board issued a memorandum seeking comments from the parties in Docket 7081 on REV's request to participate in the VSPC. Responses to this request were filed by the VSPC itself as well as Vermonters for a Clean Environment ("VCE").

VCE's comments note that current public members of the VSPC have been appointed as individuals, and not as express representatives of the organizations they work for, and that REV staff or organization members could apply for vacant membership positions. However, VCE's comments also note that REV may not be appropriately suited for any of the existing public member seats, as its membership encompasses entities engaged in the generation of electrical power in addition to its consumption, which is the primary focus of the public members representing commercial consumers. VCE's comments express its belief that, in order to create an appropriate spot on the VSPC for REV or another similar entity, it would be necessary to formally amend the VSPC MOU, and that any appointment of a new member should be conducted through an open solicitation, consistent with the Board's practice in appointing public members.

In its comments in response to the May 2, 2013, memorandum, the VSPC recommends that the Board create a new seat on the VSPC to represent power supply in conjunction with the existing sector now consisting of Vermont's energy efficiency utilities ("EEUs"). The VSPC notes that in November, 2011, it unanimously recommended a set of proposed amendments to the VSPC MOU, as then in effect, that would have created a new Supply and Demand Resources voting sector within the VSPC representing supply and demand resources and which would have been composed of representatives of the EEUs and the Vermont Sustainably Priced Energy Development Program ("SPEED") Facilitator. The Board accepted the proposal for the inclusion of representatives of the EEUs, but rejected the proposal to include the SPEED Facilitator in the new voting block because of the Facilitator's role as a contractor of the Board. The VSPC

recommends that an additional representative of supply-side resources be added to the Supply and Demand Resources sector, without changing the weight of its or the other sectors' votes. The VSPC notes that an individual from REV, a REV member, or another entity representing power supply could be eligible to serve in this seat, but recommends that the Board hold an open process to identify a qualified individual to represent supply-side resources within the VSPC.

In response to REV's request and the comments provided by VCE and the VSPC, the Board has determined to open an investigation into the possibility of adding an additional member to the Supply and Demand Resources voting sector of the VSPC. If this investigation should conclude that such an addition would be appropriate, it will seek to identify and pursue the best process for implementing such a change, including the possibility of amending the VSPC MOU. In addition, this investigation will assess what method of selecting candidates for the new seat should be utilized, if such a seat is created.

The August 1, 2012, Order in Docket 7081 stated that any future amendments to the VSPC MOU would be addressed through a new proceeding. Accordingly, we open this investigation as a new docket.

## **II. ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. Pursuant to Title 30 of the Vermont Statutes Annotated and the Rules of the Public Service Board, and in particular Sections 2(c), 203, 209, and 218c of Title 30, an investigation is hereby opened to determine whether the Memorandum of Understanding of the Vermont System Planning Committee, as adopted in Docket 7081, should be amended to allow for the appointment of a supply-side representative within the Supply and Demand Resources voting sector.

2. Pursuant to 30 V.S.A. Section 8, Ann Bishop, Chief Economist, is appointed to serve as the Hearing Officer in this docket.

3. A prehearing conference will be held, pursuant to 30 V.S.A. § 10(c), on Tuesday, July 23, 2013, commencing at 2:00 P.M., at the Public Service Board Hearing Room, Third Floor, People's United Bank Building, 112 State Street, Montpelier, Vermont.

Dated at Montpelier, Vermont, this 10<sup>th</sup> day of July, 2013.

<u>s/ James Volz</u>	)	
	)	
	)	
<u>s/ David C. Coen</u>	)	PUBLIC SERVICE
	)	
	)	
<u>s/ John D. Burke</u>	)	BOARD
	)	
	)	OF VERMONT

OFFICE OF THE CLERK

FILED: July 10, 2013

ATTEST: s/Susan M Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and Order.*