

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 6421

Petition of Vermont Public Power Supply Authority )  
on behalf of Barton Village, Inc. Electric Department, )  
Town of Hardwick Electric Department, Village of Hyde )  
Park Electric Department, Village of Northfield )  
Electric Department, and Village of Lyndonville Electric )  
Department for approval of a fuel gross receipts tax )  
credit under 33 V.S.A. Section 2503 )

Order Entered: 11/8/2000

**I. INTRODUCTION**

**A. Summary**

On August 14, 2000, the Vermont Public Power Supply Authority ("VPPSA") filed with the Public Service Board ("Board"), on behalf of Barton Village Inc. Electric Department ("Barton"), the Town of Hardwick Electric Department ("Hardwick"), the Village of Hyde Park Electric Department ("Hyde Park"), the Village of Lyndonville Electric Department ("Lyndonville"), and the Village of Northfield Electric Department ("Northfield"), a petition requesting approval of rebates from the Weatherization Trust Fund in the respective amounts of \$306.00, \$1,368.55, \$347.60, \$933.95, and \$477.72 respectively, under the terms of 33 V.S.A. § 2503. The requests were presented in the format recommended for use by the Vermont Department of Public Service ("DPS"), one for each of the above utilities, and represent proposed agreements to be reached by the respective utility, the DPS and the State Office of Economic Opportunity ("SOEO").

On October 20, 2000, the parties filed jointly signed stipulations with the Board requesting approval of rebates from the Weatherization Trust Fund in the respective amounts of \$306.00, \$1,368.55, \$347.60, \$933.95, and \$477.72, under the terms of 33 V.S.A. § 2503. In summary, the stipulations assert that the statutory requirements for rebates have been met, and that the parties agree that the Board should approve each utility's rebate request.

Based on the statements made in the stipulations, I conclude that Barton, Hardwick, Hyde Park, Lyndonville, and Northfield have fulfilled the rebate eligibility guidelines set forth in 33 V.S.A. § 2503(e). I recommend that the Board approve rebates from the Weatherization Trust Fund in the following amounts:

Barton . . . . .	\$ 306.00
Hardwick . . . .	1,368.55
Hyde Park . . . .	347.60
Lyndonville . . .	933.95
Northfield . . . .	<u>477.72</u>

Total                      \$3,433.82

**B. Procedural History**

On August 14, 2000, VPPSA filed a petition on behalf of Barton, Hardwick, Hyde Park, Lyndonville, and Northfield, with the Board requesting approval for rebates of the fuel gross receipts tax under the terms of 33 V.S.A. § 2503. The petitions request that the Board approve rebates to the five utilities that total \$3,433.82.

On October 4, 2000, a prehearing conference, via telephone, was held in this Docket. The parties agreed that further hearings were unnecessary. The parties agreed to negotiate toward jointly stipulated agreements which would be submitted to the Board by October 20, 2000.

On October 20, 2000, the parties filed signed stipulations with the Board requesting approval for rebates of the fuel gross receipts tax under the terms of 33 V.S.A. § 2503. The stipulations request that the Board approve rebates to the five utilities that total \$3,433.82. The stipulations were signed by each respective utility, SOEO, and the DPS. The filed stipulations included waivers by all parties to comment on the Proposal for Decision.

I hereby present the following Findings of Fact to the Board in accordance with 30 V.S.A. § 8.

**II. FINDINGS OF FACT**

1. On August 14, 2000, VPPSA on behalf of Barton, Hardwick, Hyde Park, Lyndonville, and Northfield, filed a petition with the Board requesting approval for rebates of the fuel gross receipts tax under the terms of 33 V.S.A. § 2503. The petitions request that the Board approve rebates to the eight utilities that total \$3,433.82.

2. On October 20, 2000, the parties filed signed stipulations with the Board for approval of rebates of the fuel gross receipts tax under 33 V.S.A. § 2503. The total amount of the rebate requests is \$3,433.82. Each utility's request is as follows:

Barton . . . . .	\$ 306.00
Hardwick . . . .	1,368.55

Hyde Park . . . .	347.60
Lyndonville . . .	933.95
Northfield . . . .	<u>477.72</u>

Total                      \$3,433.82

Stipulations filed October 20, 2000.

3. Each stipulation is signed by the respective utility, the DPS, and SOEO. Each stipulation identifies the energy efficiency measures which were provided through a "piggyback" arrangement between SOEO, its sub-grantees, and the respective utility. Id.

4. Each stipulation states that the energy efficiency services were provided to households at or below the 150 percent Federal poverty standard, as part of basic weatherization services following a comprehensive energy audit and workplan. In addition, each stipulation states that each utility's expenditures were cost-effective and consistent with that utility's filed Integrated Resource Plan. Id.

5. Each stipulation states that the respective utility will work with SOEO to improve the penetration of services to low-income households and to ensure that those services are as comprehensive as possible. Id.

6. Barton provided energy efficiency measures in the form of compact fluorescent lightbulbs, and water saving devices. The parties request that the Board approve a rebate of \$306.00 for Barton. Id.

7. Hardwick provided energy efficiency measures in the form of compact fluorescent lightbulbs, water heater tank wraps, pipe insulation, and water saving devices. The parties request that the Board approve a rebate of \$1,368.55 for Hardwick. Id.

8. Hyde Park provided energy efficiency measures in the form of compact fluorescent lightbulbs, water heater tank wraps, and pipe insulation. The parties request that the Board approve a rebate of \$347.60 for Hyde Park. Id.

9. Lyndonville provided energy efficiency measures in the form of compact fluorescent lightbulbs, water heater tank wraps, pipe insulation, and water saving devices. The parties request that the Board approve a rebate of \$933.95 for Lyndonville. Id.

10. Northfield provided energy efficiency measures in the form of compact fluorescent lightbulbs, water tank wraps, pipe insulation, and water saving devices. The parties request that

the Board approve a rebate of \$544.89 for Northfield. Id.

11. The utilities' requests for rebates are consistent with 33 V.S.A. § 2503(e). Id.

### **III. DISCUSSION AND CONCLUSIONS**

The requests of Barton, Hardwick, Hyde Park, Lyndonville, and Northfield for rebates from the Weatherization Trust Fund are made pursuant to the provisions of 33 V.S.A. § 2503(e).

That statute provides that:

[t]he Public Service Board shall authorize rebates equal to the expenditures undertaken by the regulated utilities provided that such expenditures were prudently incurred and cost-effective, that they provided weatherization services following a comprehensive energy audit and work plan, and that they are targeted to households at or below 150 percent of the federally-established poverty guidelines.

33 V.S.A. § 2503(e). The stipulations filed in this Docket state that the above statutory criteria have been satisfied.

I conclude that the utility rebate requests meet the statutory criteria for two reasons. First, all the energy efficiency measures were delivered pursuant to a piggyback arrangement between each respective utility and SOEO. Due to SOEO's direct involvement in the delivery of these services, I conclude that there is a high probability that the expenditures for the installed measures were appropriate.

Second, SOEO and the DPS agree that each utility has met the statutory criteria and that the Board should approve the rebates. SOEO, and the community action agencies that contract with SOEO, are the direct beneficiaries of the Weatherization Trust Fund. It is unlikely that SOEO would enter into a stipulation that reduces the Trust Fund by \$3,433.82 if the utilities did not deserve the rebate. The DPS represents the interests of ratepayers and the State of Vermont; it is unlikely that the DPS would request that these utilities receive a larger rebate than they deserve.

Thus, I conclude that these utilities have most likely expended at least \$3,433.82 for the provision of energy efficiency services to low-income residents that "meet the goals of the weatherization program." 33 V.S.A. § 2503(e). I recommend that the Board grant the rebate requests of Barton, Hardwick, Hyde Park, Lyndonville, and Northfield, in the aggregate amount of \$3,433.82.

DATED at Montpelier, Vermont, this 8<sup>th</sup> day of November, 2000.

s/Gregg C. Faber  
Gregg C. Faber  
Hearing Officer

**IV. ORDER**

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

1. The Hearing Officer's Findings, Conclusions and recommendations are adopted.
2. We approve the parties' stipulations.
3. We approve Barton's request for a fuel gross receipts tax rebate from the Weatherization Trust Fund for fiscal year 2000 expenditures in the amount of \$306.00.
4. We approve Hardwick's request for a fuel gross receipts tax rebate from the Weatherization Trust Fund for fiscal year 2000 expenditures in the amount of \$1,368.55.
5. We approve Hyde Park's request for a fuel gross receipts tax rebate from the Weatherization Trust Fund for fiscal year 2000 expenditures in the amount of \$347.60.
6. We approve Lyndonville's request for a fuel gross receipts tax rebate from the Weatherization Trust Fund for fiscal year 2000 expenditures in the amount of \$933.95.
7. We approve Northfield's request for a fuel gross receipts tax rebate from the Weatherization Trust Fund for fiscal year 2000 expenditures in the amount of \$477.72.

DATED at Montpelier, Vermont, this 8<sup>th</sup> day of November, 2000.

s/Michael H. Dworkin	)	
	)	
	)	PUBLIC SERVICE
	)	
s/David C. Coen	)	BOARD
	)	
	)	OF VERMONT
	)	

OFFICE OF THE CLERK

FILED: November 8, 2000

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 technical errors, in order that any necessary corrections may be made. (E-mail address: Clerk@psb.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.*

