

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 6443

Petition of Green Mountain Power Corporation )  
for approval of a fuel gross receipts tax rebate )  
under 33 V.S.A. Section 2503(e) )

Order entered: 12/11/2000

**I. INTRODUCTION**

**A. Summary**

On October 5, 2000, Green Mountain Power Corporation ("GMP") filed a petition with the Public Service Board ("Board") requesting approval for a rebate of \$16,381.74 from the Weatherization Trust Fund under the terms of 33 V.S.A. § 2503. On November 15, 2000, a stipulation was filed with the Board on behalf of the Department of Public Service ("DPS"), the Vermont State Office of Economic Opportunity ("SOEO"), and GMP. The parties to the stipulation agree that the Board may approve a rebate to GMP for expenditures in the amount of \$16,060.99.

For the reasons discussed below, I recommend that the Board accept the parties' settlement and approve a rebate of \$16,060.99 from the Weatherization Trust Fund to GMP.

**B. Procedural History**

On October 5, 2000, GMP filed a petition with the Board requesting approval for a fuel gross receipts tax rebate of \$16,381.74 from the Weatherization Trust Fund under the terms of 33 V.S.A. § 2503. Accompanying GMP's petition was a request for a waiver of the statutory deadline for filing rebate requests of August 15 pursuant to 33 V.S.A. § 2503.

On November 9, 2000, a prehearing conference, via telephone, was held in this Docket. No opposition to granting the waiver was raised and the Hearing Officer granted GMP's waiver request. The parties agreed that further hearings were unnecessary. The parties agreed to negotiate toward a jointly stipulated agreement which would be submitted to the Board by November 17, 2000.

On November 15, 2000, the parties filed a stipulation with the Board that represents a settlement regarding GMP's rebate request. The parties request that the Board approve a rebate of \$16,060.99 from the Weatherization Trust Fund to GMP for expenditures that meet the statutory requirements. The parties also waive their rights to a hearing and to comment on the Proposal for Decision pursuant to 3 V.S.A. § 811.

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

## **II. FINDINGS OF FACT**

1. On October 5, 2000, GMP filed a petition with the Board for approval of a fuel gross receipts tax rebate of \$16,381.74 pursuant to 33 V.S.A. § 2503(e). Petition at 1.
2. On November 15, 2000, a stipulation was filed with the Board on behalf of the DPS, SOEO, and GMP. The parties to the stipulation agree that the Board may approve a rebate to GMP for expenditures in the amount of \$16,060.99. Stipulation at 1.
3. GMP's rebate request is to recover expenditures paid during the 2000 fiscal year (ending May 15, 2000). Petition at 1.
4. GMP's rebate request is for expenditures made pursuant to piggyback agreements between GMP and SOEO, for services provided by energy service companies to low-income customers. Petition at 1.
5. GMP requests a rebate for expenditures that were made to verified low-income households pursuant to an energy audit. Stipulation at 1.
6. The Parties reserve their right, in future proceedings, to advocate positions that differ from those set forth in this Stipulation. Stipulation at 1.
7. GMP's expenditures of \$16,060.99 satisfy the statutory prerequisites for a tax rebate. *Id.* at 1.

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

The parties all agree that \$16,060.99 is the appropriate amount for a rebate from the Weatherization Trust Fund for GMP's 2000 fiscal year expenditures. I recommend that the Board approve this settlement for the following reasons.

First, the agreement was reached through negotiations with adverse parties. The DPS represents the interests of ratepayers and the State of Vermont; it is unlikely that the DPS would request that GMP receive a larger rebate than it deserves. 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 request that GMP receive a larger rebate than it deserves.

Second, the petition provides a description of the specific projects and measures installed that form the basis of GMP's settlement request of \$16,060.99. Verification of low-income status is indicated. These details, similar to those provided with GMP's previous rebate requests, provide significant assurance that statutory requirements have been met.

Thus, I conclude that GMP has expended at least \$16,060.99 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 accept the parties' stipulation and approve a rebate from the Weatherization Trust Fund for GMP of \$16,060.99.

DATED at Montpelier, Vermont, this 11<sup>th</sup> day of December, 2000.

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

**VI. 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 accept the parties' Stipulation and approve GMP's request for a fuel gross receipts tax rebate from the Weatherization Trust Fund for fiscal year 2000 expenditures in the amount of \$16,060.99.

DATED at Montpelier, Vermont, this 11<sup>th</sup> day of December , 2000.

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

OFFICE OF THE CLERK

FILED: December 11, 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.*