

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 6281

Petition of Central Vermont Public)
Service Corporation for approval)
of a fuel gross receipts tax rebate)
under 33 V.S.A. Section 2503(e))

Order entered: 12/1/99

I. INTRODUCTION

A. Summary

On August 13, 1999, Central Vermont Public Service Corporation ("CVPS") filed a petition with the Public Service Board ("Board") requesting approval for a rebate of an amount not to exceed \$63,772 from the Weatherization Trust Fund under the terms of 33 V.S.A. § 2503. On November 15, 1999, CVPS filed a stipulation with the Board on behalf of the Department of Public Service ("DPS"), the Vermont State Office of Economic Opportunity ("SOEO"), and CVPS. In that stipulation, the parties agree that the Board may approve a rebate to CVPS for expenditures in the amount of \$60,436.

For the reasons discussed below, I recommend that the Board accept the parties' settlement and approve a rebate of \$60,436 from the Weatherization Trust Fund to CVPS.

B. Procedural History

On August 13, 1999, CVPS filed a petition with the Board requesting approval of a fuel gross receipts tax rebate of an amount not to exceed \$63,772 from the Weatherization Trust Fund under the terms of 33 V.S.A. § 2503.

On October 22, 1999, a prehearing conference, via telephone, was held in this Docket. The parties stated that they were close to a settlement and agreed to a deadline of November 8, 1999, for reaching a settlement. The deadline was subsequently extended to November 12, 1999, at the parties' request.

On November 15, 1999, the parties filed a signed stipulation with the Board. The stipulation includes an attachment, Attachment 1, that supports a rebate in the amount of \$60,436.

The parties request that the Board approve a rebate of \$60,436 from the Weatherization Trust Fund to CVPS 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 August 13, 1999, CVPS filed a petition with the Board for approval of a fuel gross receipts tax rebate of an amount not to exceed \$63,772 pursuant to 33 V.S.A. § 2503(e). CVPS petition, 8/13/99, Exhibit BWB-1 at 2.

2. On November 15, 1999, CVPS modified its request under a signed stipulation which was filed with the Board on behalf of the DPS, SOEO, and CVPS. The parties to the stipulation agree that the Board may approve a rebate to CVPS for expenditures in the amount of \$60,436. Stipulation at 1.

3. As part of the stipulation, CVPS filed an attachment that supports a rebate in the amount of \$60,436 for energy-efficiency expenditures for qualified low-income households pursuant to 33 V.S.A. 2503(e). Stipulation, Attachment at 2.

4. CVPS's rebate request is to recover expenditures paid during the 1999 fiscal year (ending June, 1999). Stipulation, Attachment at 1.

5. CVPS's rebate request is for expenditures made pursuant to "piggyback" agreements with low-income agencies and for expenditures for low-income participants in CVPS's Residential High-Use DSM program. Stipulation at 1.

6. CVPS's expenditures of \$60,436 satisfy the statutory prerequisites for a tax rebate. Stipulation at 1.

III. DISCUSSION AND CONCLUSIONS

The parties all agree that \$60,436 is the appropriate amount for a rebate from the Weatherization Trust Fund for CVPS's 1999 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 CVPS 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 CVPS receive a larger rebate than it deserves.

Second, the stipulation provides a description of the specific project and measures installed that form the basis of CVPS's request of \$60,436. Verification of low-income status is indicated and measures were installed after comprehensive energy audits. These details provide significant assurance that statutory requirements have been met.

Thus, I conclude that CVPS has expended at least \$60,436 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 CVPS of \$60,436.

DATED at Montpelier, Vermont, this 2nd day of December, 1999.

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 CVPS's modified request for a fuel gross receipts tax rebate from the Weatherization Trust Fund for fiscal year 1999 expenditures in the amount of \$60,436.

DATED at Montpelier, Vermont, this 1st day of December, 1999.

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

OFFICE OF THE CLERK

FILED: December 1, 1999

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 of any technical errors, in order that any necessary corrections may be made.

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.

