

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 19-0302-INV

Investigation to establish an Energy Savings Account partnership pilot program, establish a methodology for evaluation, measurement, and verification of Self-Managed Energy Efficiency Program and Energy Savings Account projects, and review the Customer Credit Program	
---	--

Order entered: 03/04/2020

**ORDER RE IMPLEMENTATION OF THE ENERGY SAVINGS ACCOUNT PILOT PROGRAM**

In a May 16, 2019, Order, the Vermont Public Utility Commission (“Commission”) established the Energy Savings Account (“ESA”) pilot program, including the criteria for customer selection.

Efficiency Vermont, the Vermont Department of Public Service, and the Agency of Commerce and Community Development issued two separate requests for proposals to solicit customers to the ESA pilot program.

In a February 21, 2020, filing, Efficiency Vermont represents that nine customers are enrolled for participation in the ESA pilot program: Chroma Technology; Collins Aerospace; Ethan Allen Operations, Inc; Jay Peak; Killington Pico Ski Resort; Mack Molding Company; Weidmann Electrical Technology, Inc.; WestRock Converting, LLC (“WestRock”); and Vail Resorts. These nine customers have total annual energy efficiency charge contributions of approximately \$1.7 million.

In its February 21, 2020, filing, Efficiency Vermont states that Vail Resorts submitted a proposal covering both its Stowe and Okemo properties in response to the first RFP. Since the RFP selection process, in September 2019, Vail Resorts acquired the Mount Snow property. Efficiency Vermont and Vail Resorts request that the Mount Snow property be added to Vail Resorts’ Energy Management Plan, both in terms of potential projects, and in terms of calculating available ESA pilot program funds. If Mount Snow is included under the Vail Resorts account, Efficiency Vermont estimates that customers enrolled in the ESA pilot program would have total annual energy efficiency charge contributions of approximately \$1.8 million.

We grant the request to allow Vail Resorts to add its Mount Snow property to its Energy Management Plan under the ESA pilot program. The addition of the Mount Snow property is consistent with the eligibility requirements of the ESA pilot program. We have previously determined that “a single business (a single legal entity) with more than one electric account may combine the energy efficiency charge amounts paid on multiple accounts to determine eligibility.”<sup>1</sup> The addition of the Mount Snow property is also consistent with the requirement of Section 2(b) of Act 150 that the total amount of customer energy efficiency charge funds “available in the pilot program each year shall not exceed \$2 million.”<sup>2</sup>

In a separate February 21, 2020, filing, Efficiency Vermont and WestRock jointly requested guidance from the Commission on whether an incentive agreement created by Efficiency Vermont before WestRock’s participation in the ESA pilot program can be implemented without using ESA pilot program funds. An incentive agreement for \$3,867, for a combined heat and power study, was developed and signed by Efficiency Vermont in April 2019, before WestRock’s participation in the ESA pilot program. The incentive agreement was not counter-signed by WestRock until November 2019, after the study was completed and after WestRock was selected as an ESA pilot program participant.

We conclude that the incentive agreement between Efficiency Vermont and WestRock was made in advance of WestRock’s participation in the ESA pilot program and does not require the use of ESA pilot program funds. Our conclusion is consistent with our previous determination that Efficiency Vermont can honor signed agreements with customers for incentives or payments that are in place before the start of the ESA pilot program, even if the projects may be completed after the start of the program.<sup>3</sup> As we previously determined, this allowance of additional time to complete projects: (1) recognizes that some large and complex projects may need significant time to plan and complete; and (2) avoids the loss of opportunity to participate in energy efficiency investments during the first half of 2019.<sup>4</sup>

**SO ORDERED.**

---

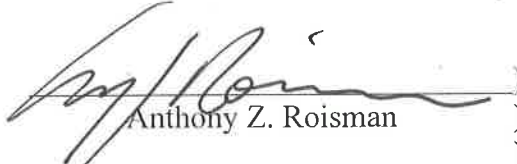
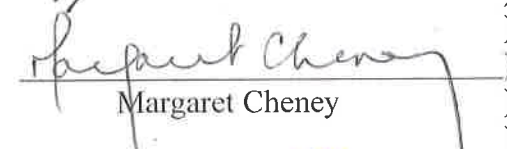

<sup>1</sup> *Order Re Energy Savings Account Pilot Program*, Case No. 19-0302-INV, Order of 5/16/19 at 5.

<sup>2</sup> Public Act No. 150 (2018 Vt. Adj. Sess.).

<sup>3</sup> *Order Re Energy Savings Account Pilot Program*, Case No. 19-0302-INV, Order of 5/16/19 at 11.

<sup>4</sup> *Order Re Energy Savings Account Pilot Program*, Case No. 19-0302-INV, Order of 3/16/19 at 11.

Dated at Montpelier, Vermont, this 4th day of March, 2020.

 Anthony Z. Roisman	)	PUBLIC UTILITY
	)	
 Margaret Cheney	)	COMMISSION
	)	
 Sarah Hofmann	)	OF VERMONT

OFFICE OF THE CLERK

Filed: March 4, 2020

Attest:

  
Clerk of the Commission

*Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: [puc.clerk@vermont.gov](mailto:puc.clerk@vermont.gov))*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Commission within 30 days. Appeal will not stay the effect of this Order, absent further order by this Commission or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of this decision and Order.*

PUC Case No. 19-0302-INV - SERVICE LIST

Melissa Bailey  
Vermont Public Power Supply Authority  
P.O. Box 126  
5195 Waterbury-Stowe Road  
Waterbury Center, VT 05677  
mbailey@vppsa.com

Justin B Barnard  
Dinse P.C.  
209 Battery Street  
Burlington, VT 05401  
jbarnard@dinse.com

(for  
GLOBALFOUNDRIES  
U.S. 2 LLC)

Jerry Brown  
WestRock  
jerry.brown@westrock.com

(for WESTROCK)

Victoria J. Brown, Esq.  
Vermont Electric Cooperative, Inc.  
42 Wescom Road  
Johnson, VT 05656  
vbrown@vermontelectric.coop

(for Vermont Electric  
Cooperative Inc.)

Warren Coleman  
MMR, LLC  
45 Court St  
Montpelier, VT 05602  
warren@mmrvt.com

(for OMYA)

William Driscoll  
Associated Industries of Vermont  
wdriscoll@aivt.org

(for Associated  
Industries of Vermont)

William F. Ellis  
McNeil, Leddy & Sheahan  
271 South Union Street  
Burlington, VT 05401  
wellis@mcneilvt.com

(for Champlain Water  
District)

Lauren Hammer  
Vermont Gas Systems, Inc.  
85 Swift Street  
South Burlington, VT 05403  
lhammer@vermontgas.com

(for Vermont Gas  
Systems, Inc.)

John W Kessler  
Agency of Commerce and Community Development  
National Life Building, Drawer 20  
Montpelier, VT 05620-0501  
john.kessler@vermont.gov

(for Vermont Agency of  
Commerce and  
Community  
Development)

Megan Ludwig  
Vermont Department of Public Service  
112 State Street  
Third Floor  
Montpelier, VT 05620-2601  
megan.ludwig@vermont.gov

(for Vermont  
Department of Public  
Service)

Michael Pelletier  
University of Vermont - Physical Plant Dept.  
284 East Avenue  
Burlington, VT 05405  
michael.pelletier@uvm.edu

Shapleigh Smith, Jr.  
Dinse P.C.  
209 Battery Street  
Burlington, VT 05401  
ssmith@dinse.com

(for  
GLOBALFOUNDRIES  
U.S. 2 LLC)

Matthew J. Walker  
Efficiency Vermont-Vermont Energy Investment Corporation  
128 Lakeside Avenue, Suite 401  
Burlington, VT 05401  
mjwalker@veic.org

(for Efficiency Vermont  
- Vermont Energy  
Investment Corporation)

Matthew Wells  
WestRock  
501 S. 5th Street  
Richmond, VA 23219  
matthew.wells@westrock.com

(for WESTROCK)

David C. Westman  
Efficiency Vermont - Vermont Energy Investment Corporation  
128 Lakeside Avenue, Suite 401  
Burlington, VT 05401  
dwestman@veic.org

(for Efficiency Vermont  
- Vermont Energy  
Investment Corporation)