



September 29th, 2022

Ms. Holly Anderson, Clerk
Vermont Public Utility Commission
112 State Street, 4th Floor
Montpelier, VT 05602
Re: BED/revision of net-metering tariff (Case No. 22-3947-TF)

Dear Clerk Anderson,

Renewable Energy Vermont (“REV”) appreciates the opportunity to provide comments pertaining to the proposed revisions to Burlington Electric Department’s (BED) net-metering tariff in Case No. 22-3947-TF.

In prefiled testimony, BED characterizes the changes in this tariff as “in effect a rate decrease” because it proposes to increase the solar incentive compensation for applicable customers.¹ This description glosses over elements of the proposed tariff that would, in fact, decrease the compensation that certain customers are eligible to receive. Specifically, the proposed tariff would terminate BED’s long-standing practice of providing monetary payments to customers with Pre-Existing Net-Metering Systems when their solar incentive credit balance exceeded \$100 by striking the following text from the existing tariff²

In the event that the aggregate value of the amount calculated under (3) of this subsection above is a credit, BED will carry that credit forward to the next billing period and this credit may be carried over from year to year. At any time that this credit equals or exceeds \$100, the customer may request that BED pay the customer the value of the credit and set the carry forward amount back to \$0. BED may, at any time, elect to pay the customer the value of the credit and set the carry forward amount back to \$0. Amounts owed to the customer pursuant to this tariff will not accrue interest during any period prior to their being paid to the customer.

Further, the proposed tariff eliminates a previously existing exemption to the 12-month credit that applied for the first 10 years for pre-existing systems.³ Neither the Department nor BED appears to address these change directly in their filings and BED has not filed a copy of the notice sent to customers regarding these changes with the Commission.

Procedurally, REV believes that this tariff should require a 45-day notice rather than the expedited process that BED has requested. Substantively, REV has serious concerns about the practice of retroactively modifying the compensation terms for net-metering customers. The potential harm in this practice is not only in reduced compensation to impact customers but also the effect depriving Vermonters of the ability to rely upon the structural terms of the applicable net-metering tariff at the time that they enter the program. REV members are alarmed that such a precedent could make it significantly more difficult and more costly for Vermonters interested in participating in net-metering to

¹ Prefiled Testimony of James L. Gibbons, September 15, 2022, page 3.

² Tariff - redline version, September 16, 2022, Section V.G.(5), page 8.

³ Tariff - redline version, September 16, 2022, Section V.G.(6), page 9.



secure financing for these projects if financial institutions and other investors see the compensation structure as vulnerable to change in any future tariff case.

The Commission has historically been extremely diligent about ensuring that changes to net-metering compensation, outside of the regular updates to the blended residential rates that are clearly stipulated in the net-metering rule, only apply to new projects and to ensuring there is adequate public notice of any change in compensation rates. REV asks that the Commission maintain this practice by denying this element of the proposed tariff.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Dowds".

Jonathan Dowds
Deputy Director
Renewable Energy Vermont