

From: Aaron Adler [AAdler@leg.state.vt.us]
Sent: Wednesday, May 06, 2015 11:24 AM
To: Joe Choquette; Tim Ashe; Christopher Bray; Charlie Enscoe; Katie Pickens
CC: Springer, Darren
Subject: RE: IBM Self managed energy efficiency program for H.40
Attachments: GENERAL-#309053-v1-H_40;_Sec__15;_potential_IBM_language.DOCX

Thanks Joe for meeting with me. Attached is a redraft based on our meeting.

Katie, could you pls have copies ready for noon?

Aaron Adler, Legislative Counsel
Vermont Legislative Council
115 State Street - State House
Montpelier, VT 05633-5201
p: 802-828-2236
Vermont Legislature

-----Original Message-----

From: Aaron Adler
Sent: Wednesday, May 06, 2015 9:04 AM
To: 'Joe Choquette'; Tim Ashe; Christopher Bray; Charlie Enscoe
Cc: Darren Springer Esq.
Subject: RE: IBM Self managed energy efficiency program for H.40

Thanks Joe for copying me. I just left you a voice mail. Not having been involved in this discussion, I would like to understand why this language is being requested, what it is intended to accomplish, and whether it is intended to be lieu of what the House passed in H.40, Sec. 15, which is the language that was previously requested on behalf of IBM and Global Foundries. I do see issues with the drafting and what to make sure I understand the rationale and goals before preparing any sort of redraft.

Aaron Adler, Legislative Counsel
Vermont Legislative Council
115 State Street - State House
Montpelier, VT 05633-5201
p: 802-828-2236
Vermont Legislature

-----Original Message-----

From: Joe Choquette [<mailto:jchoquette@drm.com>]
Sent: Tuesday, May 05, 2015 6:27 PM
To: Aaron Adler; Tim Ashe; Christopher Bray; Charlie Enscoe
Cc: Darren Springer Esq.
Subject: IBM Self managed energy efficiency program for H.40

Attached is the language we discussed for H.40 regarding the IBM self managed energy efficiency program and its transition to Global Foundries.

Joe Choquette
External Affairs Manager
Downs Rachlin Martin PLLC
802-225-5510

----- Original message -----

From: Leonard Singer

Date:05/05/2015 3:41 PM (GMT-05:00)

To: Daniel Tukey

Subject: RE: Self manager energy efficiency program

Dan-please let me know if this language amends the SMEEP provisions to cover the situation you described. This would be a new separate section 5 of 30 VSA section 209 (j) and also would replace the language you sent me because I covered that in this new section 5 also.

Leonard H. Singer, Esq.

Couch White, LLP

P.O. Box 22222

540 Broadway

Albany, New York 12201-2222

lsinger@couchwhite.com<mailto:lsinger@couchwhite.com>

www.couchwhite.com<<https://protect-us.mimecast.com/r/XQQdo2xHuci->

[RK_9xtbDJQfmrvRMElxsIfmQxpLdgkjKuXwbVZsZnZO20qVJgOcedKVT0NS8pIDIWJU8EjvDDQeGmPqgPKji](https://protect-us.mimecast.com/r/XQQdo2xHuci-RK_9xtbDJQfmrvRMElxsIfmQxpLdgkjKuXwbVZsZnZO20qVJgOcedKVT0NS8pIDIWJU8EjvDDQeGmPqgPKji)

[aPJ-aeFu6O_gpmorbml7xM1EtOgS_srJTCXWymH7050kEYq4wUdZsjG_89kmAHf9GKfp_ByAs-](https://protect-us.mimecast.com/r/XQQdo2xHuci-aPJ-aeFu6O_gpmorbml7xM1EtOgS_srJTCXWymH7050kEYq4wUdZsjG_89kmAHf9GKfp_ByAs-)

[yfeBifhvMO49e2MJXRPiQchVnu68tPFIYRq-qy2dW3x4sc4LWvmqQGsS2bHL8lm_Y](https://protect-us.mimecast.com/r/XQQdo2xHuci-yfeBifhvMO49e2MJXRPiQchVnu68tPFIYRq-qy2dW3x4sc4LWvmqQGsS2bHL8lm_Y)>

O: 518-320-3406

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

H.40

Senator ___ moves that the Senate propose to the House that the bill be amended by striking out Sec. 15 and inserting in lieu thereof a new section 15 to read:

Sec. 15. 30 V.S.A. § 248(j)(5) is added to read:

(5) This subdivision applies to a transferee of all or substantially all,of the assets at the served property of an entity approved to participate in the self–managed energy efficiency program. The Board shall allow the transferee to continue as a participant in the self–managed energy efficiency program class in the same manner and under the same terms and conditions that the transferor participant was authorized to participate, provided:

(A) the transferor participant met the requirements of subdivision (4)(A) of this subsection;

(B) the transferee assumes the obligation to fulfill any outstanding commitment of the transferor participant under subdivision (4)(D) of this subsection; and

(C) the transferee complies with all of the provisions of this subsection except subdivision (4)(A).