

CONFIDENTIAL
AHS LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: H.126 **Name of Bill:** State Regulation of the Retail Propane Industry

Agency/ Dept: DCF/ESD **Author of Bill Review:** Richard Moffi

Date of Bill Review: Feb 25, 2015 **Related Bills and Key Players:** No Related Bills; Sponsor Rep Sharpe; VT Fuel Dealers Association's Matt Cota advises he is tracking this bill closely

Status of Bill: (check one): ☒ Upon Introduction ☐ As passed by 1st body ☐ As passed by both

Recommended Position:

☐ Support ☐ Oppose ☒ Remain Neutral ☐ Support with modifications identified in #8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

The Dept of Public Service (DPS) would supervise and regulate the organization and operation of retail distributors of propane.

2. Is there a need for this bill? *Please explain why or why not.*

There is no need for this bill. The proposed bill identifies nothing general or specific that would be the subject of DPS's rules governing the retail sale and distribution of propane. The state's current propane consumer protection law, 9 V.S.A. § 2461(b) and Consumer Protection (CP) rule 111 already establishes a foundation of the rights and responsibilities of propane dealers and their customers which is over-seen by the Attorney General's Office.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

None for DCF.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?

Programmatic implications for DPS will have to be identified by them.

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5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*

Unknown

6. **Other Stakeholders:**

6.1 **Who else is likely to support the proposal and why?**

Advocates and consumers are likely to support this bill because they are angry about poor service and high prices.

6.2 **Who else is likely to oppose the proposal and why?**

The VT Fuel Dealers Association is likely to oppose the bill because the rules will stifle capitalism.

7. **Rationale for recommendation:** *Justify recommendation stated above.*

The "Remain Neutral" recommendation is justified because there is no required involvement from or impact on AHS/DCF.

8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

Change the focus to the Attorney General's Office; recommend review of CP111 to address and make recommendations by January 2016 on legislator, consumer, dealer, and advocate concerns; make appropriate modifications to CP111; and employ 2 statewide Propane Ombudspersons to rapidly respond to dealer complaints about consumers and consumer complaints about dealers.

9. **Gubernatorial appointments to board or commission?**

No

Secretary/Commissioner has reviewed this document: _____ **Date:** _____

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