

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2013

Bill Number: H.39 Name of Bill: An Act Related to the Public Service Board and the Department of Public Service

Agency/ Dept: PSD Author of Bill Review: Ed McNamara

Date of Bill Review: 1/23/13 Status of Bill: (check one):

☒ Upon Introduction ☐ As passed by 1st body ☐ As passed by both bodies ☐ Fiscal

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 primary substance of the bill concerns authorization for the Public Service Board to implement electronic filing. In addition, the bill modifies the deadline for municipal and regional planning commissions to file recommendations regarding a petition filed under 30 V.S.A. § 248. Finally, the bill makes some minor technical corrections.

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

The provisions regarding authorization to implement electronic filing clarify the PSB's authority, thereby making it easier to implement electronic filing.

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

Successful implementation of electronic filing will, over time, result in savings and increase efficiency within the PSD.

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?

Other agencies that routinely appear before the PSB, primarily the Agency of Natural Resources, should also experience savings and increased efficiency in process.

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)*

The bill will impact any entity that appears before the PSB. Successful implementation of electronic filing should result in savings and increase efficiency for these entities. With respect to the provision altering the deadline for filing planning commissions' recommendations to within 21 days after a Section 248 petition is filed, it will provide such entities an extra month, beyond what is currently provided in statute, to provide input to the PSB.

6. Other Stakeholders:

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

It is likely that entities that routinely appear before the PSB will support the provisions expressly authorizing electronic filing. Municipal and regional planning commissions are likely to support the extension of time to file recommendations regarding Section 248 petitions.

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

It's unlikely that any entity would oppose the language authorizing electronic filing. With respect to the extended deadline for planning commissions' recommendations, the deadline for recommendations is still within the comment period for petitions filed pursuant to Section 248(j), and well within the time frame to allow the comments to be considered under a full Section 248 proceeding.

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

Although the provision regarding planning commissions' recommendation is unlikely to be objected to by parties, it is important to keep in mind that the Energy Generation Siting Policy Commission is currently working on recommendations to improve the Section 248 process. The EGSPC will likely be proposing comprehensive changes to the process; any changes to the language of Section 248 should be limited in scope until the EGSPC has issued its report.

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.*
No modifications recommended.

Secretary/Commissioner has reviewed this document:  **Date:** 1/24/13