

**From:** Springer, Darren [Darren.Springer@state.vt.us]  
**Sent:** Tuesday, May 05, 2015 6:30 PM  
**To:** Hopkins, Asa  
**Subject:** Fwd: IBM Self managed energy efficiency program for H.40  
**Attachments:** image001.png; ATT00001.htm; Proposed Amendment to 30 VSA 209j.docx; ATT00002.htm

Any significant issues?

Sent from my iPhone

Begin forwarded message:

**From:** Joe Choquette <[jchoquette@drm.com](mailto:jchoquette@drm.com)>  
**Date:** May 5, 2015 at 6:27:16 PM EDT  
**To:** Aaron Adler <[AAdler@leg.state.vt.us](mailto:AAdler@leg.state.vt.us)>, Timothy Ashe <[tashe@leg.state.vt.us](mailto:tashe@leg.state.vt.us)>, Christopher Bray <[cbray@leg.state.vt.us](mailto:cbray@leg.state.vt.us)>, "Charlie Enscoe" <[CEnscoe@leg.state.vt.us](mailto:CEnscoe@leg.state.vt.us)>  
**Cc:** Darren Springer Esq. <[darren.springer@state.vt.us](mailto:darren.springer@state.vt.us)>  
**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.

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[www.couchwhite.com<https://protect-us.mimecast.com/r/XQQdo2xHuci-RK\\_9xtbDJQfmrVrMElxsIfmQxpLdgkjKuXwbVZsZnZO20qVJgOcEdKVT0NS8pIDIWJU8EjvDDQeGmPqgPKjiaPJ-aeFu6O\\_gpmorbml7xM1EtOgS\\_srJTCXWymH7050kEYq4wUdZsjG\\_89kmAHf9GKfp\\_ByAs-yfeBifhvMO49e2MJXRPiQchVnu68tPFIYRq-qy2dW3x4sc4LWvmqQGsS2bHL8lm\\_Y>](https://protect-us.mimecast.com/r/XQQdo2xHuci-RK_9xtbDJQfmrVrMElxsIfmQxpLdgkjKuXwbVZsZnZO20qVJgOcEdKVT0NS8pIDIWJU8EjvDDQeGmPqgPKjiaPJ-aeFu6O_gpmorbml7xM1EtOgS_srJTCXWymH7050kEYq4wUdZsjG_89kmAHf9GKfp_ByAs-yfeBifhvMO49e2MJXRPiQchVnu68tPFIYRq-qy2dW3x4sc4LWvmqQGsS2bHL8lm_Y)

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Sec 15 30 V.S.A. section 209 (j) is amended to add a new paragraph (5) to read:

(5) 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 class, shall be authorized 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 in such class, as long as: (i) the transferor participant met the requirements of section (j)(4)(A) of this subdivision; (ii) to the extent the transferor participant has an outstanding commitment under section (j)(4)(D) of this subdivision, the transferee satisfies such outstanding commitment; and (iii) the transferee complies with all of the other provisions set forth in this subdivision (j).

