

**Sunset Advisory Commission
2022 Board and Commission Questionnaire**

30 V.S.A. §212b Review Board on Retail Sales

The Sunset Advisory Commission reviews every State board and commission and takes testimony regarding whether each board or commission should continue to operate or be eliminated and whether the powers and duties of any board or commission should be revised. Each board and commission has the burden of justifying its continued operation.

Please answer the following questions about the specific board or commission under review. If asked to testify before the Sunset Advisory Commission, please plan to provide concise recommendations regarding the continued operation of the board or commission under review and any revisions to its powers, duties, or membership.

1. In general, how often does the board and commission meet? Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.

To the Department's knowledge, the Review Board has not met for this purpose recently; there are no materials available.

2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.

According to 30 V.S.A. 212b, the Board consist of the Governor (chair), the Speaker of the House, the House Majority Leader, the House Minority Leader, one other member of the House from the party other than that of the Speaker appointed by the Speaker, the President Pro Tempore of the Senate, the Senate Majority Leader, the Senate Minority Leader, and one other Senator from the party other than that of the President Pro Tempore appointed by the Committee on Committees. No members are specifically appointed at this time.

For attendance at meetings during adjournment of the General Assembly, legislative members of the Board are entitled to reimbursement for expenses and per diem compensation under 2 V.S.A. § 406(a)

3. Provide an overview of the board or commission's purpose.

Several decades ago, the Public Service Department (PSD) was engaged in the retail sale of electricity to end use customers. The purpose of the Board was to review and approve such sales, providing a measure of oversight for state government offering such retail service. The PSD becoming a counterparty to a contract can occur when access to a federally owned/supported electricity generating resource requires a state agency or authority to be the contracting counterparty.

4. Is that purpose still needed? What would happen if the board or commission no longer fulfilled that purpose?

The PSD is no longer engaged in the retail sale of electricity to end use customers and is unlikely to enter that activity again. The PSD does act as the state authority and counterparty for purchase of power from federally supported hydroelectric facilities in New York (with New York Power Authority, or NYPA), acting as a pass through to eligible electric utilities for the power. However, because the PSD has no retail electricity customers, the transaction does not qualify for needing Review Board approval under 30 V.S.A. §212b.

Because the PSD does not sell electricity to retail customers, there is no need for the Review Board at this time.

5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?

There have been no transactions for the last several decades, so nothing to review.

6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?

There is no current need. If the PSD were to enter into retail sales transactions in the future, the Public Utility Commission would play an oversight and approval role for utility services.

7. If the purpose is still needed, do any of your board or commission's functions overlap or duplicate those of another State board or commission or federal or State agency? If so, is your board or commission still the best entity to fulfill the purpose

The Public Utility Commission would have authority over the sales of electricity to consumers.

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

The purpose of the Review Board is to oversee an activity that no longer occurs.

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

N/A

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor, or any State agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

No reports or studies are required.