

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 23-2220-RULE

Proceeding to design the potential Clean Heat Standard	
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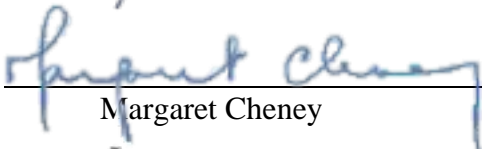
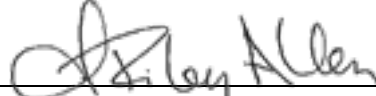
Order entered: 11/16/2023

ORDER SEEKING COMMENTS ON TECHNICAL ADVISORY GROUP PROCEDURES

On June 30, 2023, the Vermont Public Utility Commission (“Commission”) issued an Order opening this rulemaking proceeding to design the potential Clean Heat Standard. Pursuant to 30 V.S.A. § 8128(a), the Commission is required to establish a Technical Advisory Group (“TAG”) that will assist the Commission in many technical aspects of the program design and its ongoing management if implemented. The Commission has announced its selection of TAG members in a separate order issued today. Pursuant to 30 V.S.A. § 8128(b), the Commission must “establish the procedure for the TAG, including member term lengths and meeting procedures.” The Commission requests comments on the attached draft procedures for the TAG by no later than November 27, 2023.

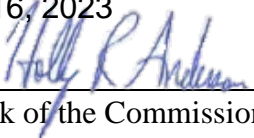
SO ORDERED.

Dated at Montpelier, Vermont, this 16th day of November, 2023.

 _____)) PUBLIC UTILITY
Anthony Z. Roisman)	
) _____)	
 _____)) COMMISSION
Margaret Cheney)	
) _____)	
 _____)) OF VERMONT
J. Riley Allen)	

OFFICE OF THE CLERK

Filed: November 16, 2023

Attest: 

 Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

PROCEDURES FOR THE CLEAN HEAT STANDARD TECHNICAL ADVISORY GROUP

I. Scope and Purpose

Act 18 of 2023 directs the Vermont Public Utility Commission (“Commission”) to establish a Technical Advisory Group (“TAG”) to assist the Commission in the ongoing management of the potential Clean Heat Standard, including advising the Commission on many of the technical aspects of the program. The law requires the Commission to “establish the procedure for the TAG, including member term lengths and meeting procedures.”¹ This document serves as the statutorily required procedure for the TAG.

II. Duties of the Technical Advisory Group

A. Pursuant to 30 V.S.A. § 8128(a), the TAG is charged with the following duties:

- i. Establishing and revising the lifecycle carbon dioxide equivalent (CO₂e) emissions accounting methodology to be used to determine each obligated party’s annual requirement pursuant to 30 V.S.A. § 8124(a)(2);
- ii. Establishing and revising the clean heat credit value for different clean heat measures;
- iii. Periodically assessing and reporting to the Commission on the sustainability of the production of clean heat measures by considering factors including greenhouse gas emissions; carbon sequestration and storage; human health impacts; land use changes; ecological and biodiversity impacts; groundwater and surface water impacts; air, water, and soil pollution; and impacts on food costs;
- iv. Setting the expected life length of clean heat measures for the purpose of calculating credit amounts;
- v. Establishing credit values for each year over a clean heat measure’s expected life, including adjustments to account for increasing interactions between clean heat measures over time so as to not double-count emission reductions;
- vi. Facilitating the program’s coordination with other energy programs;
- vii. Calculating the impact of the cost of clean heat credits and the cost savings associated with delivered clean heat measures on per-unit heating fuel prices;
- viii. Calculating the savings associated with public health benefits due to clean heat measures;
- ix. Coordinating with the Agency of Natural Resources to ensure that greenhouse gas emissions reductions achieved in another sector through the implementation of the Clean Heat Standard are not double-counted in the Vermont Greenhouse Gas Emissions Inventory and Forecast;
- x. Advising the Commission on the periodic assessment and revision requirement established in 30 V.S.A. § 8124(a)(3); and
- xi. Any other matters referred to the TAG by the Commission.

B. Pursuant to 30 V.S.A. §§ 8127(b) and (c) the TAG must:

¹ 30 V.S.A. § 8128(b).

- i. Consult with the Commission on a standard methodology for determining what party or parties shall be the owner of a clean heat credit upon its creation; and
- ii. Provide input and feedback on the clean heat measure characterizations and relevant assumptions, including CO₂e lifecycle emissions analyses, of the Commission's third-party technical consultant.

III. Membership

A. The Technical Advisory Group will consist of up to 15 members appointed by the Commission consistent with 30 V.S.A. § 8128(b). Each person appointed to join the TAG will be a voting TAG member. Because of the unique expertise and perspectives of each member, regular attendance by all group members at the meetings is expected.

B. The appointees from organizations explicitly named in 30 V.S.A. §8128(b) may designate another staff member from their organization to serve as a full voting member of the TAG in their place.

C. Members must elect a Chair, Vice Chair, and Secretary. The Chair or Vice Chair will preside at any meeting of the TAG. The Secretary will prepare and provide the Commission with the minutes of all meetings. In the absence of the Secretary, the TAG will elect a member to serve as acting secretary. TAG meetings are subject to the Open Meeting Law (1 V.S.A. §§ 310-314), and minutes must be prepared and managed consistent with 1 V.S.A. § 312(b).

D. Members of the TAG may be removed by the Commission for cause.

E. Non-Member Participants. TAG members may be joined by additional experts on behalf of their organizations. These experts will be non-voting and have a consultative role only.

IV. Term Length

A. The initial term of service for TAG members will be up to two years from the date of appointment. If the potential Clean Heat Standard is approved by the Legislature, the Commission will revisit term lengths and member appointments.

B. When a TAG member position is open, the Commission will determine whether to fill that position, and if so, appoint a qualified member as soon as practicable.

V. Compensation

A. Members who are not otherwise compensated by their employer are entitled to per diem compensation and reimbursement for expenses under [32 V.S.A. § 1010\(b\)](#).

B. Advisory group members must inform the Commission that they are eligible and interested in claiming per diem compensation. Members may submit per diem and other reimbursable claims to the Commission monthly, reflecting the amount of compensation authorized under 32 V.S.A. § 1010(b)(2).

VI. Quorum & Voting

A. A quorum of the TAG will be 11 members. If there are fewer than 15 members appointed to the TAG, a quorum will be three quarters of the current membership. The TAG will act by majority vote of the members present. Presence may include being in the same physical space or participating remotely by phone or meeting platform.

B. Only TAG members are eligible to vote. Non-member participants and members of the public are not eligible to vote on the business of the TAG.

VII. Scheduling

A. The TAG members will determine the meeting schedule and frequency that will allow the TAG to fulfill the duties listed in Act 18 of 2023 and to assist the Commission in its work to meet its statutory deadlines. Members should expect that at least monthly meetings will be necessary in the first year. The Commission's proposed rules for the Clean Heat Standard are due on or before January 15, 2025. The Commission and the TAG will communicate about scope of work, process, and deadlines so that the TAG may set appropriate schedules and agendas.

B. All advisory group members should be consulted when scheduling TAG meetings and an attempt should be made to accommodate most members, including allowing for remote attendance. Notice of meetings must be provided to the Commission at least seven days before the specified time so that the Commission may post the notice on its website.

VIII. Coordination with the Commission

A. The TAG and the Commission will work together to create a schedule of deliverables to meet the deadlines in Act 18 of 2023. This schedule will inform the TAG's agendas.

B. The TAG will provide the Commission with meeting minutes within four days of the date of any meeting. The Commission will post these meeting minutes on its website.

C. The TAG will submit documentation of its work product and decisions addressing the items specified in Act 18, including 30 V.S.A. §§ 8127(b), 8128(a), and 8128(c).

D. The TAG may consult with Commission staff regarding procedural and administrative matters. The TAG may consult with the Commission's technical consultant regarding substantive matters. Members of the TAG should communicate with Commission staff regarding substantive matters only through public means.

IX. Agendas

The TAG will create a meeting agenda for each meeting and share the agenda with its members and the Commission at least three days in advance of the meeting. Meeting agendas must be managed in accordance with 1 V.S.A. § 312(d).

X. Changes to this Procedure

The TAG may at any time propose revisions to this Procedure to the Commission. No changes will take effect until approved by the Commission.

PUC Case No. 23-2220-RULE - SERVICE LIST

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