



Complaints about Alleged Violations of the Terms  
and Conditions of Certificates of Public Good

Annual Report for the Year Ending December 31, 2021

Submitted to:

Vermont General Assembly

Consumer Affairs and Public Information Division  
Vermont Department of Public Service  
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## Table of Contents

Introduction.....	2
Complaints Researched by Consumer Affairs and Public Information at the Vermont Department of Public Service for the period January 1, 2021 through December 31, 2021 .....	3
Administrative Citations .....	3
Draft Administrative Citations.....	3
Final Administrative Citations.....	3

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## **Introduction**

In response to Act 130 in 2016, the Consumer Affairs and Public Information Division (CAPI) of the Vermont Department of Public Service (Department) drafted a protocol to address complaints about the alleged failure of holders of a Certificate of Public Good (CPG) to abide by the terms and conditions of their CPG. The protocol was implemented on September 1, 2016. At that time, the Public Utility Commission (PUC) began referring complaints about potential CPG violations to CAPI and including direction in Commission orders to CPG holders to follow the complaint protocol. The Vermont General Assembly later expanded the Department's investigative authority to include administrative citations, effective July 1, 2017.

CAPI collects data about and reports on complaints about the alleged failure of holders of a Certificate of Public Good (CPG) to abide by its terms and conditions. The public may make complaints by email, in writing, by phone or in person to the Department. Alternatively, a CPG holder may self-report a potential violation or a complaint it received directly from the public. Another agency that receives a complaint may collect basic details and forward that information to the Department for investigation. No complainant is required to contact a company or CPG holder prior to filing a complaint with the Department.

CAPI investigates complaints and works toward an informal resolution between the complainant and the CPG holder. If an informal resolution cannot be reached at the conclusion of our investigation, and the Department has reason to believe the CPG holder has violated Sections 246, 248, 248a, or 8010, the Department will follow the statutory process for issuing an administrative citation.

**Complaints Researched by Consumer Affairs and Public Information at the Vermont Department of Public Service for the period January 1, 2021 through December 31, 2021.**

CAPI received four complaints about CPGs in 2021. Two of these complaints were about solar sites. Two complaints were related to a wireless cell tower.

Three of the cases were closed, two by withdrawal by the consumer who made the complaint, and one case was taken up by the Public Utilities Commission on the same day the complaint was made to the Department of Public Service, with the same complaint submission. In the final case, investigation may be necessary to determine whether a violation may have occurred and if so, the case will be referred to Public Advocacy for further review and possible filing with the Public Utility Commission.

<b>CPG complaints in 2021</b>					
<b>Energy Type</b>	<b>Town</b>	<b>Description</b>	<b>Investigated by CAPI</b>	<b>Status</b>	<b>Potential Violation</b>
Solar	Danby	Access road use	Yes	Open	Yes
Wireless	Huntington	Tower height	No	Withdrawn	Unknown
Wireless	Charlotte	Addition to towers	No	Withdrawn	Unknown
Solar	Milton	Building site violation	No	Closed	

**Administrative Citations**

*Draft Administrative Citations*

No draft administrative citations were issued in 2021 to a CPG holder.

*Final Administrative Citations*

No final administrative citations were issued in 2021 to a CPG holder.