
From: Duesie7 [duesie7@gmail.com]
Sent: Tuesday, October 27, 2015 12:18 PM
To: Jortner, Wayne
Subject: Public Advocacy Office

To Mr. Wayne Jortner and/or Whom It May Concern:

The Public Service Department (PSD) was asked by the Legislature to provide a report by December 15, 2015, analyzing the structure of its Public Advocacy Division. The PSD was also asked whether alternate structures could result in improved benefits for utility ratepayers.

As a Vermont consumer who is directly impacted by decisions made and executed by the Public Service Board (PSB), I believe an independent Public Advocate Office is a necessary component of a fair, balanced and effective system.

Currently, the PSD is an agency within the Executive Branch of Vermont state government and is charged with representing the public interest in energy, telecommunications, water and wastewater utility matters. Within the PSD lies the Consumer Affairs & Public Information (CAPI) Division AND the Public Advocate Office (PAO). I believe this structure does NOT provide for or effectively deliver true advocacy for the consumers of Vermont.

Having personally dealt with staff from CAPI over a nearly year-long period, I know all too well the limitations of this office. The conclusion of months of back and forth communication and research of the issue was a statement from CAPI that began, "The bottom line is that there seems to be no reasonable explanation for why GMP [Green Mountain Power] would...". No equitable solution was ever reached. And no referral to the Public Advocates Office was made, for reasons I now understand. The Public Advocate Office is not and was not for the "public" or consumers, but rather it is a functionary of the Executive Branch – the Governor's Office.

However, I was referred to the Public Service Board to begin the process anew, rather than to the Public Advocate Office as one would logically think. After receiving no acknowledgment of my communication - automated, personal, or otherwise - sent to each of the Board members, I saw the absolute futility of this effort as well.

We need an independent Public Advocate Office to follow the facts and measure the rate impacts of energy and telecommunication policies and procedures before they go into effect. Moreover this needs to be done without closed negotiations and agreements between the for-profit utility companies in Vermont and our PSD, the very agency which houses CAPI and the PAO. I believe the salient points are as follows.

- The public advocate office should be an independent office that is removed from the Executive Branch and the inherent political pressure to support utility company projects and rate proposals.
- The public advocate office should be independently representing the interests of Vermont energy and telecommunications customers so that our utility bills are fair and reasonable.
- The public advocates for ratepayers, who must have limited direct ties with the utilities, should have technical and legal expertise as well as a strong track record for independent action and advocacy.

In summary, although the PSD is a separate agency from the Vermont Public Service Board, which serves as the quasi-judicial or decision-making authority in utility regulatory cases, the current structure of placing CAPI and the PAO within the office of the PSD does not allow for public advocacy free from the political pressure of the Executive office. The competing interests of the PSD do not allow for independent or effective consumer advocacy and are therefore detrimental to the Vermont consumer.

Respectfully,

Lawrence O'Neill

Putney, Vermont