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Subject: DPS "Pubic Advocacy" is a failure and needs total overhaul now

- **The Public Advocate Office must be truly independent!** No matter where a Public Advocate Office is located (e.g. within DPS, at the Attorney General's Office, in a stand-alone agency or an independent nonprofit), the Office must be free from utility and political influence. The budget of the Office needs to be protected, and employees of the Office must be required to abide by a code of conduct and ethics that prohibits ties to utilities and has strict financial disclosure rules. They should also benefit from whistleblower protections so that they feel safe to voice concerns or report problems.

- **The Public Advocate Office should be responsible for helping the public understand and participate in utility cases.** Instead of acting as a gatekeeper that keeps the public out of the Section 248 process, the Public Advocate Office should be required to produce plain-language materials that explain not only the Section 248 process but also their rights as ratepayers, landowners, and the public AND the rate design and ratemaking process. Right now, it's nearly impossible for ratepayers to understand or participate in decisions that will affect their wallets, their health and safety, or the environment. Vermont needs a Public Advocate Office that respects our need for understandable and accessible information AND our right to participate in determining exactly what our interests are with respect to a given project or policy.

- **All Vermonters should have an equal right to assistance from a Public Advocate Office.** Not all "public interests" are the same for all groups in any society. If different groups (e.g. ratepayers, property owners, small businesses) have differing interests, advocates should be assigned to represent the interests of each group, and/or funding should be provided to individuals and organizations, who want to intervene in the Section 248 process.

• **The Public Advocate Office should advocate for more than just lower rates!** It's a myth that ratepayers only care about the cost of energy. Many ratepayers would be willing to pay a bit more for clean energy. Vermonters want a Public Advocate Office willing to stand up to utility pressure and advocate for our right not to pay for unnecessary fossil fuel infrastructure. We want a Public Advocate Office that has the independence to demand that all utility customers should have the right to opt out of paying for dirty fossil fuel infrastructure!

• **The Public Advocate Office should be required to share complaints and communications received from ratepayers and members of the public with the Board and other parties during the course of Public Service Board proceedings.** Nearly 500 Vermont Gas ratepayers wrote to the Public Advocate Office saying that they couldn't afford to pay for the increased rates necessary to pay for the ballooning ANGP costs. DPS never presented or even acknowledges these concerns during the technical hearings on the ANGP last June. Instead, the Department supported VGS claims that current customers would benefit from the project. This should never be allowed to happen again!

• **Improving the structure and effectiveness of the Public Advocate Office should start today - with a reasonable schedule for accessible public hearings and a comment process that makes sense!** The way the Department is going about collecting public input for this report is a perfect example of how poorly the Public Advocate Office serves ratepayers and the public:

- There are no public hearings being held in locations that are convenient for residential natural gas ratepayers, who could face the largest rate increases for energy infrastructure in the history of Vermont. Regardless of how many hearings are required, DPS should hold hearings in at least one of the two counties with residential natural gas customers!

- There has been almost no advertising or public outreach about the hearings!

- And, DPS hasn't even bothered to produced any written materials, a draft report, or even a list of questions for the public but nevertheless wants the public to offer comments on how the Public Advocate Office should be structured! The average Vermonter

isn't an expert of government organizational structure or public advocate offices. Why hasn't DPS given us something to respond to in public comments????

Until an effective and independent Public Advocate Office can be established, the Vermont public deserves to have Independent Counsel appointed for all large pending utility cases, including the Addison Natural Gas Project! Regardless of when or whether steps are taken to improve the structure and effectiveness of the Public Advocate Office, ratepayers and the public deserve an effective public advocates to represent them immediately! Until something can be done to fix this problem, independent counsel should be appointed to represent ratepayers and other members of the public in all major utility cases, including the Addison Natural Gas Project. Currently, the Board isn't required to appoint independent counsel when ratepayers, the public, and the governor or Department have differing interests, or when a conflict of interest arises. Whether to appoint independent counsel is at the discretion of the Board, and to date, the Board has pretty much never appointed independent counsel no matter how obvious it is that the Administration's and ratepayers' interests may be at odds. This needs to change!