



**State of Vermont**  
**Department of Public Service**  
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August 7, 2023

Ms. Holly Anderson, Clerk  
Vermont Public Utility Commission  
112 State Street - 4<sup>th</sup> Floor  
Montpelier, Vermont 05620-2356

Re: Department Request for Two-Month Utility Disconnect Moratorium

Dear Ms. Anderson:

The Vermont Department of Public Service (“Department”) respectfully requests that the Vermont Public Utility Commission (“Commission”), pursuant to 30 V.S.A. Section 209(a)(3) and Commission Rule 2.406(B), place a temporary, two-month moratorium on electric and natural gas utility disconnections.

On July 9, 2023, and in response to an imminent storm, Governor Scott issued a state of emergency for Vermont. The next day, Vermonters endured record-breaking torrential rainfall and catastrophic flooding, which necessitated emergency water rescues, living displacements, business closures, and more. Almost four weeks later, many Vermonters are still struggling with post-flood cleanup as they continuously work to restore homes and businesses. Organizations across the State, as well as the federal government, continue to offer aid to those affected by the flooding; however, one area in need of assistance includes Vermont’s various distribution utilities. The Department has been in contact with Jan Demers, the Executive Director for Champlain Valley Economic Opportunity, who stresses that a two-month moratorium on electric disconnections “would be far reaching and help families get on their feet again.” Additionally, according to Sue Minter, Executive Director of Capstone Community Action, the Capstone offices located in Barre, Morrisville, and Randolph, are receiving a high volume of electric disconnect calls, including from flood survivors. Director Minter explains that electricity is necessary to run vacuums, dehumidifiers, fans, and the like to dry basements and first floors and that the lack of electricity leads to mold, which accumulates rapidly.

On July 26, 2023, The Department issued a “call-to-action” to all Vermont regulated energy and efficiency utilities to do all they can to aid Vermonters with flood recovery. The utilities have been commendably receptive to this request. In the spirit of the call-to-action, the Department reached out to the Vermont energy distribution utilities on Friday, August 4, 2023, to seek their voluntary participation in two-month moratorium on disconnections beginning today, August 7, 2023. This moratorium on disconnections would apply to Vermonters struggling with flood recovery.

The proposed moratorium would not include premises where disconnection is necessary for safety purposes. As of this writing, the Department can report that the following utilities have agreed to and are supportive of the requested two-month disconnection moratorium: Village of Johnson Water & Light, Green Mountain Power, Barton Village Electric Department, Village of Orleans Electric Department, City of Burlington Electric Department, Vermont Gas Systems, Inc., the Village of Hyde Park Electric Department, Washington Electric Cooperative, Lyndonville Electric Department, the Village of Ludlow Electric Light Department, the Village of Swanton Electric Department, Morrisville Water and Light Department, Vermont Electric Cooperative, Hardwick Electric Department, and Stowe Electric Department.

Section 209(a)(3) of Title 30 of the Vermont Statutes Annotated grants the Commission the authority to issue orders to ensure that utility business conduct promotes the “safety, convenience, and accommodation of the public.” Furthermore, Commission Rule 2.406(B) provides authority for the Commission to issue a temporary restraining order when “substantial immediate and irreparable injury, loss or damage, or danger to health or safety, will result to the petitioner before a hearing can be held upon proper notice.” The Commission invoked the above legal authorities when issuing its moratorium on utility shutoffs during the COVID-19 pandemic in Case No. 20-0703-PET. Accordingly, the Department respectfully requests that the Commission act on this precedent to grant this petition for a two-month electric and natural gas utility disconnect moratorium and assist Vermonters with finding flood relief during these unprecedented times. Given that Vermont energy utilities have either already self-imposed such a moratorium or readily agreed to it following the Department’s August 4, 2023 request, a Commission order at this point would appear to be all but pro forma. However, such a Commission order would be extremely valuable as a legal basis for other advocacy the Department is pursuing to obtain emergency relief to off-set any rate-pressure arising from the moratorium.

Thank you for your attention to this matter. Please contact the undersigned representatives with any questions.

Sincerely,  
DocuSigned by:

*James Porter*

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James Porter, Director of Public Advocacy

DocuSigned by:

*Erin C. Brennan*

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Erin C. Brennan, Special Counsel

