


30 V.S.A. § 203

Current through Act Nos. 104 and M-21 of the 2023 Adjourned Session of the 2023-2024 Vermont General Assembly

Vermont Statutes Annotated > Title 30 Public Service (Pts. 1 — 3) > Part 1. Department of Public Service and Public Utility Commission (Chs. 1 — 14) > Chapter 5. State Policy; Plans; Jurisdiction and Regulatory Authority of Commission and Department (Subchs. 1 — 2) > Subchapter 1. General Powers (§§ 201 — 255)

Notice

 This section has more than one version with varying effective dates.

§ 203. Jurisdiction of certain public utilities [Effective July 1, 2024]

The Public Utility Commission and the Department of Public Service shall have jurisdiction over the following described companies within the State, their directors, receivers, trustees, lessees, or other persons or companies owning or operating the companies and of all plants, lines, exchanges, and equipment of the companies used in or about the business carried on by them in this State as covered and included in this chapter. This jurisdiction shall be exercised by the Commission and the Department so far as may be necessary to enable them to perform the duties and exercise the powers conferred upon them by law. The Commission and the Department may, when they deem the public good requires, examine the plants, equipment, lines, exchanges, stations, and property of the companies subject to their jurisdiction under this chapter.

- (1) A company engaged in the manufacture, transmission, distribution, storage, or sale of gas or electricity directly to the public or to be used ultimately by the public for lighting, heating, or power and so far as relates to their use or occupancy of the public highways.
- (2) That part of the business of a company that consists of the manufacture, transmission, distribution, storage, or sale of gas or electricity directly to the public or to be used ultimately by the public for lighting, heating, or power and so far as relates to their use or occupancy of the public highways.
- (3) A company other than a municipality or a water system exempted under the provisions of 10 V.S.A. § 1675a engaged in the collecting, sale, and distribution of water for domestic, industrial, business, or fire protection purposes.
- (4) A company engaged in the construction and maintenance of dams and storage reservoirs whether for the purpose of prevention of damage by flood, or for the purpose of power to be

developed, or for the benefit of waterpower, developed or undeveloped, so situated as to be affected by such reservoirs and dams.

(5) A person or company offering telecommunications service to the public on a common carrier basis. “Telecommunications service” means the transmission of any interactive two-way electromagnetic communications, including voice, image, data, and information. Transmission of electromagnetic communications includes the use of any media such as wires, cables, television cables, microwaves, radio waves, light waves, or any combination of those or similar media. Telecommunications service does not include value-added nonvoice services in which computer processing applications are used to act on the form, content, code, and protocol of the information to be transmitted unless those services are provided under tariff approved by the Public Utility Commission.

(6) A company or that part of a company, other than a municipality, which has obtained a direct or indirect discharge permit issued by the Agency of Natural Resources and is engaged in the collection or disposal of wastewater or domestic sewage or any combination of these activities, except companies solely involved in the hauling of septage or sludge. This subdivision shall only apply to companies which, together with any affiliates, service 750 or more household or dwelling units.

(7) Notwithstanding subdivisions (1) and (2) of this section, the Commission and Department shall not have jurisdiction over persons otherwise not regulated by the Commission that are engaged in the siting, construction, ownership, operation, or control of a facility that sells or supplies electricity to the public exclusively for charging a plug-in electric vehicle, as defined in 23 V.S.A. § 4(85). These persons may charge by the kWh for owned or operated electric vehicle supply equipment, as defined in section 201 of this title, but shall not be treated as an electric distribution utility just because electric vehicle supply equipment charges by the kWh.

(8) For purposes of this section, “storage” has the same meaning as “energy storage facility” as defined in section 201 of this title.

History

Amended 1959, No. 329 (Adj. Sess.), § 39(b), eff. March 1, 1961; 1961, No. 267, § 1, eff. Aug. 1, 1961; 1979, No. 204 (Adj. Sess.), § 22, eff. Feb. 1, 1981; 1985, No. 224 (Adj. Sess.), § 8; 1987, No. 87, § 5; 1993, No. 21, § 19, eff. May 12, 1993; 1993, No. 120 (Adj. Sess.), § 1; 2007, No. 156 (Adj. Sess.), § 2; 2019, No. 59, § 39, eff. June 14, 2019; 2021, No. 54, § 6; 2023, No. 85 (Adj. Sess.), § 363, eff. July 1, 2024.