

1 S.204

2 Introduced by Senators Benning, Collamore, Flory, Rodgers, and Starr

3 Referred to Committee on

4 Date:

5 Subject: Energy; public service; natural resources; land use; siting; renewable
6 generation

7 Statement of purpose of bill as introduced: This bill proposes to ensure that
8 renewable generation is sited in Vermont only if it is used to meet Vermont's
9 Renewable Energy Standard and will be sited in a region of the State in which
10 electric consumption exceeds the amount of renewable electricity already
11 produced or to be produced in the region. The bill also proposes to clarify that
12 an existing exemption from local land use regulation for "public utility power
13 generating plants" includes only plants by retail electric utilities and small,
14 customer-owned net metering systems.

15 An act relating to siting renewable electric generation

16 It is hereby enacted by the General Assembly of the State of Vermont:

17 Sec. 1. FINDINGS

18 The General Assembly finds that:

19 (1) Large scale renewable electric generation facilities have the potential
20 for significant impact on the State's landscape, natural resources, and scenic

1 beauty. Many residents living near these facilities experience impacts to their
2 health and interference with the use of their property that they attribute to the
3 projects.

4 (2) In the Northeast Kingdom, the production of existing renewable
5 electric generation facilities already exceeds the region's electric consumption,
6 and the region faces new proposals for large scale renewable facilities.

7 (3) Vermont adopted a Renewable Energy Standard (RES) in 2015 that
8 sets out total renewable energy requirements for Vermont utilities to supply
9 their customers with renewable energy.

10 (A) The RES provides that the utilities may satisfy the total
11 renewable energy requirement not only through in-state facilities but also
12 through facilities located outside the State.

13 (B) The RES includes a distributed renewable generation requirement
14 to be met by facilities directly connected to the Vermont grid and caps the size
15 of these facilities at five megawatts.

16 (4) To achieve the goals of the RES while minimizing the negative
17 impacts of renewable generation facilities, Vermont should allow the siting of
18 these facilities in the State only if they will be used to satisfy the RES. The
19 State should not require any of its regions to host renewable electric generation
20 facilities if the collective production of these facilities in the region exceeds its
21 electric consumption.

1 Sec. 2. 30 V.S.A. § 248(t) is added to read:

2 (t) This subsection applies to a facility to be constructed in the State that
3 will generate electricity using renewable energy unless the facility is a net
4 metering system of 15 kilowatts or less.

5 (1) The Board shall not issue a certificate of public good for such a
6 facility unless:

7 (A) its environmental attributes and tradeable renewable energy
8 credits will be applied toward the Renewable Energy Standard (RES); and

9 (B) the region's most recent annual electricity consumption exceeds
10 the average annual amount of energy to be produced over the next five years
11 by existing or already approved renewable electric generation in the region in
12 which the facility will be located.

13 (2) The Board shall not issue a certificate of public good for such a
14 facility once each Vermont retail electricity provider has met the total
15 renewable energy and distributed renewable energy generation requirements of
16 the RES set forth in sections 8004 and 8005 of this title.

17 (3) This subsection shall apply to such a facility notwithstanding any
18 contrary provision of this section.

