

1 H.348

2 Introduced by Representative Johnson of Canaan

3 Referred to Committee on

4 Date:

5 Subject: Public service; certificate of public good; in-state facility; application
6 fee

7 Statement of purpose of bill as introduced: This bill proposes to establish an
8 application fee for the siting of an in-state facility that requires a certificate of
9 public good under 30 V.S.A. § 248. The application fee shall be deposited into
10 the Municipal Participation Fund, from which disbursement may be made to
11 defray costs, including attorney's fees, incurred by a municipality participating
12 in the review or appeal of an application for a certificate of public good under
13 30 V.S.A. § 248 for the siting of an in-state facility.

14 An act relating to establishing an application fee for the siting of an in-state
15 facility that requires a certificate of public good from the Public Service
16 Board

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

18 Sec. 1. 30 V.S.A. §§ 248b and 248c are added to read:

19 § 248b. APPLICATION FEE

20 (a) Certificate of public good application fee. An application for the siting
21 of an in-state facility that requires a certificate of public good under section

1 248 of this title shall be accompanied by an application fee in the amount of
2 \$50.00 per \$1,000.00 of the estimated construction cost of the proposed
3 in-state facility, provided that the maximum fee under this section shall not
4 exceed \$25,000.00.

5 (b) Limit on recovery in rates. A Vermont retail electricity provider, as
6 that term is defined in section 8002 of this title, shall not recover in rates
7 charged to its retail customers any fees it pays under subsection (a) of this
8 section.

9 § 248c. MUNICIPAL PARTICIPATION FUND

10 (a) There is hereby established in the State Treasury a special fund to be
11 known as the Municipal Participation Fund, to be administered and expended
12 by the Public Service Board. The purpose of the Municipal Participation Fund
13 shall be to defray costs, including attorney's fees, incurred by a municipality
14 participating in the review or appeal of an application for a certificate of public
15 good under section 248 of this title for the siting of an in-state facility.

16 (b) The Public Service Board may authorize disbursement or expenditures
17 from the Municipal Participation Fund. The Public Service Board shall adopt
18 by rule municipal activities eligible for disbursements from the Fund and the
19 process by which a municipality shall apply for a disbursement.

20 (c) There shall be deposited into the Municipal Participation Fund:

21 (1) application fees collected under section 248b of this title;

1 (2) private gifts, bequests, grants, or donations made to the State from
2 any public or private source for the purposes for which the Municipal
3 Participation Fund was established; and

4 (3) any sums as may be appropriated by the General Assembly.

5 (d) Interest earned by the Municipal Participation Fund shall be credited
6 and deposited to the Fund. All balances in the Municipal Participation Fund at
7 the end of the fiscal year shall be carried forward and remain a part of the
8 Fund.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on passage.