

1 Senator ___ recommends that the report of the Committee on Natural
2 Resources and Energy be amended as follows:

3 First: In Sec.2, 30 V.S.A. § 248, in subsection (a) (certificate of public
4 good; obligation and procedure, by striking out subdivision (5) (application
5 fees) and inserting in lieu thereof a new subdivision (5) to read:

6 (5) Application fee. On filing an application under this section, an
7 applicant for an in-state facility shall pay a fee for the purpose of compensating
8 the State of Vermont for the direct and indirect costs incurred with respect to
9 the review of the application and the administration of the State programs
10 involved in this review.

11 (A) The fee shall be \$5.40 for each \$1,000.00 of the first
12 \$15,000,000.00 of construction costs and \$2.50 for each \$1,000.00 of
13 construction costs above \$15,000,000.00. In no event shall the fee exceed
14 \$150,000.00. The Board shall adjust the amounts contained in this subdivision
15 (A) annually commencing in 2015 for inflation since January 1, 2014 using the
16 Consumer Price Index for all urban consumers, designated as “CPI-U,” in the
17 northeast region, as published by the U.S. Department of Labor, Bureau of
18 Labor Statistics.

19 (B) Thirty percent of the fee shall be deposited into the special fund
20 described in section 22 of this title and allocated between the Board and the
21 Department of Public Service in accordance with that section. Seventy percent

1 of the fee shall be deposited into the Environmental Permit Fund under
2 3 V.S.A. § 2805.

3 (C) The Board shall not require a fee for an application under this
4 section for a net metering system, a facility that will pay expenses allocated
5 pursuant to subsection 8005a(1) of this title, or a facility to be undertaken and
6 owned by an agency of the State or a political subdivision of the State.

7 (D) The fee for an application under this section for a facility to be
8 undertaken by an entity subject to the gross receipts tax under section 22 of
9 this title shall be 70 percent of the fee calculated in accordance with
10 subdivision (1)(A) of this subsection. Notwithstanding subdivision (1)(B) of
11 this subsection, the entirety of the fee for such a facility shall be deposited into
12 the Environmental Permit Fund under 3 V.S.A. § 2805.

13 (E) Nothing in this subdivision (5) shall affect the authority of the
14 Board, the Department of Public Service, or the Agency of Natural Resources
15 to retain personnel and allocate costs under sections 20 and 21 of this title,
16 except that, if the costs of regular employees are allocated under section 21 of
17 this title to an applicant paying a fee under this subdivision, the allocated
18 amount shall be offset by the portion of the fee available to the allocating
19 agency.

1 Second: After Sec. 8, by inserting a Sec. 8a to read:

2 Sec. 8a. ENERGY POSITIONS; AGENCY OF NATURAL RESOURCES

3 (a) To fulfill the obligations of the Agency of Natural Resources, the
4 Department of Public Service, and the Public Service Board under 30 V.S.A.
5 § 248, the establishment of the following limited service positions is
6 authorized in fiscal year 2015:

7 (1) In the Agency of Natural Resources;

8 (A) one (1) classified position – project manager.

9 (B) one (1) exempt position – staff attorney.

10 (2) In the Department of Fish and Wildlife, one (1) classified
11 position – wildlife biologist (Fish and Wildlife Scientist III).

12 (3) In the Department of Public Service, one (1) exempt position – staff
13 attorney.

14 (4) In the Public Service Board, one (1) exempt position – a staff
15 attorney or utility analyst to serve as a hearing officer.

16 (b) These positions shall be supported by the application fee established
17 under 30 V.S.A. § 248(a)(5).

18 (c) These positions shall focus primarily on the review of applications
19 under 30 V.S.A. § 248. The positions assigned to the Agency of Natural
20 Resources and the Department of Public Service also shall provide outreach
21 and technical assistance with respect to the appropriate siting of electric

1 generation and transmission facilities and natural gas facilities to be sited in
2 Vermont.

3 Third: In Sec. 9 (effective date; adoption of forms), in subsection (a), after
4 “2014”, by inserting except that Sec. 8a shall take effect on July 1, 2014

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10 (Committee vote: _____)

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Senator _____
FOR THE COMMITTEE