1	S.230
2	Representative Ram of Burlington moves that the report of the Committee
3	on Natural Resources and Energy be amended as follows:
4	First: By striking out Sec. 15 and inserting in lieu thereof a new Sec. 15 to
5	read as follows:
6	Sec. 15. 30 V.S.A. § 8010 is amended to read:
7	§ 8010. SELF-GENERATION AND NET METERING
8	* * *
9	(c) In accordance with this section, the Board shall adopt and implement
10	rules that govern the installation and operation of net metering systems.
11	(1) The rules shall establish and maintain a net metering program that:
12	* * *
13	(G) accounts for changes over time in the cost of technology; and
14	(H) allows a customer to retain ownership of the environmental
15	attributes of energy generated by the customer's net metering system and of
16	any associated tradeable renewable energy credits or to transfer those attributes
17	and credits to the interconnecting retail provider, and:
18	(i) if the customer retains the attributes, reduces the value of the
19	credit provided under this section for electricity generated by the customer's
20	net metering system by an appropriate amount; and

1	(ii) if the customer transfers the attributes to the interconnecting
2	provider, requires the provider to retain them for application toward
3	compliance with sections 8004 and 8005 of this title; and
4	(I) promotes the siting of a net metering system on a tract of land
5	that is part of a farm in existence and operation at the time an application
6	for a certificate of public good under section 248 of this title for the net
7	metering system is filed, provided that:
8	(i) all or part of the energy generated by the system is
9	consumed by the farm;
10	(ii) other than the system, the principal uses of the tract are
11	for farming as defined under 10 V.S.A. § 6001, the primary residence of
12	the farmer, and farm structures as defined in 24 V.S.A. § 4413(d)(1);
13	(iii) the system will not be located on primary agricultural
14	soils as defined in 10 V.S.A. § 6001; and
15	(iv) the system is constructed so as to minimize disturbance to
16	and utilization of soils of statewide signfiicant primary agricultural and so
17	as to enable the tract to be returned to agricultural use after the end of the
18	<u>plant's useful life.</u>
19	* * *
20	(3) The rules shall establish standards and procedures governing
21	application for and issuance or revocation of a certificate of public good for net

1	metering systems under the provisions of section 248 of this title. In
2	establishing these standards and procedures, the rules:
3	(A) <u>The rules</u> may waive the requirements of section 248 of this title
4	that are not applicable to net metering systems, including criteria that are
5	generally applicable to public service companies as defined in this title;
6	(B) <u>The rules</u> may modify notice and hearing requirements of this
7	title as the Board considers appropriate;.
8	(C) <u>The rules</u> shall seek to simplify the application and review
9	process as appropriate; and.
10	(D) with <u>With</u> respect to net metering systems that exceed 150 kW in
11	plant capacity, shall apply the so-called "Quechee" test for aesthetic impact as
12	described by the Vermont Supreme Court in the case of In re Halnon, 174 Vt.
13	515 (2002) (mem.). The rules and application form shall state the components
14	of this test.
15	(E) With respect to a net metering system exceeding 15 kW in
16	plant capacity, the The rules shall not waive or include provisions that are
17	less stringent than the following, notwithstanding any contrary provision of
18	law:
19	(i) with respect to a net metering system exceeding 15 kW in
20	<u>capacity:</u>

1	(I) the requirement of subdivision $248(a)(4)(C)$ of this title to
2	provide a copy of the application to the Agencies of Agriculture, Food and
3	Markets and of Natural Resources; the Department of Public Service; the
4	Division for Historic Preservation; the municipal legislative body; and the
5	municipality and regional planning commissions; and
6	(II) the requirements of subsection 248(f) (preapplication
7	submittal) of this title; and
8	(iii) with respect to a net metering system exceeding 50 kW in
9	eapacity, the requirements of subdivision 248(a)(4)(J) (required information)
10	of this title.
11	* * *
12	(e) The rules may promote the siting of net metering systems in
13	preferred locations and, if so, shall include as such a location a tract of
14	land that is part of a farm in existence and operation as set forth in
15	subdivision 8010(c)(1)(I) of this section.
16	(f) If a hydroelectric generation plant seeking approval as a net metering
17	system is subject to licensing jurisdiction under the Federal Power Act,
18	16 U.S.C. chapter 12, subchapter 1, the Board shall require the plant to obtain
19	
	such approval through means other than by application for a certificate of
20	such approval through means other than by application for a certificate of public good under section 248 of this title.

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1	Second: In Sec. 18 (effective dates), by striking out subdivision (2) and
2	inserting in lieu thereof two new subdivisions to be subdivisions (2) and (3) to
3	read:
4	(2) Sec. 15 (net metering) shall take effect on January 2, 2017, and shall
5	amend 30 V.S.A. § 8010 as amended by 2015 Acts and Resolves No. 56,
6	<u>Sec. 12.</u>
7	(3) Notwithstanding any contrary provision of 1 V.S.A. § 214,
8	Secs. 14a and 15 shall apply to the Public Service Board process under
9	2014 Acts and Resolves No. 99, Sec. 5.