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S.230

Senators Bray and Campion move that the bill be amended as follows:

First: In Sec. 13, 30 V.S.A. § 8002(30), after subdivision (F), by inserting subdivisions (G) and (H) to read:

(G) A site listed on the National Priorities List (NPL) established under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. chapter 103, if the U.S. Environmental Protection Agency or the Agency of Natural Resources confirms each of the following:

(i) The site is listed on the NPL.

(ii) Development of the plant on the site will not compromise or interfere with remedial action on the site.

(iii) The site is suitable for development of the plant.

(H) A hydroelectric generation facility that was in existence but not in service as of January 1, 2016 and that will be redeveloped for electric generation.

and by redesignating the existing subdivision (G) to be subdivision (I)

Second: In Sec. 17, 30 V.S.A. § 8010, after the final ellipsis, by inserting a subsection (e) to read:

(e) This section does not confer authority to require a hydroelectric generation plant that is subject to licensing jurisdiction under the Federal

1 Power Act, 16 U.S.C. chapter 12, subchapter 1, to obtain a certificate of public  
2 good under section 248 of this title.

3 Third: After Sec. 17, by inserting a Sec. 17a to read:

4 Sec. 17a. 30 V.S.A. § 248(a)(2) is amended to read:

5 (2) Except for the replacement of existing facilities with equivalent  
6 facilities in the usual course of business, and except for electric generation  
7 facilities that are operated solely for on-site electricity consumption by the  
8 owner of those facilities and for hydroelectric generation facilities subject to  
9 licensing jurisdiction under the Federal Power Act, 16 U.S.C. chapter 12,  
10 subchapter 1:

11 (A) no company, as defined in section 201 of this title, and no person,  
12 as defined in 10 V.S.A. § 6001(14), may begin site preparation for or  
13 construction of an electric generation facility or electric transmission facility  
14 within the State which is designed for immediate or eventual operation at any  
15 voltage; and

16 (B) no such company may exercise the right of eminent domain in  
17 connection with site preparation for or construction of any such transmission or  
18 generation facility, unless the Public Service Board first finds that the same  
19 will promote the general good of the State and issues a certificate to that effect.