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H.395

Introduced by Representatives Buckholz of Hartford, Burke of Brattleboro,  
and Weed of Enosburgh

Referred to Committee on

Date:

Subject: Energy; public service; renewable generation; net metering

Statement of purpose of bill as introduced: This bill proposes to restore the  
rights of preexisting net metering systems to the bill credit structure in  
existence prior to January 1, 2017.

An act relating to the investments of preexisting net metering customers

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

Sec. 1. FINDINGS; PURPOSE

(a) In 2014 Acts and Resolves No. 99 (Act 99), the General Assembly  
directed the Public Service Board (Board) to reestablish the net metering  
program on a prospective basis effective on January 1, 2017.

(b) Under Sec. 10 of that act, the new net metering program would apply to  
applications filed on and after January 1, 2017 and the status quo would be  
maintained for net metering systems for which applications were filed before  
that date (preexisting net metering systems).



1 which a net metering customer must use the credit, after which the credit shall  
2 revert to the interconnecting provider.

3 (i) When assigning an amount of credit under this subdivision (F),  
4 the Board shall consider making multiple lengths of time available over which  
5 a customer may take a credit and differentiating the amount according to the  
6 length of time chosen. For example, a monthly credit amount may be higher if  
7 taken over 10 years and lower if taken over 20 years. Factors relevant to this  
8 consideration shall include the customer's ability to finance the net metering  
9 system, the cost of that financing, and the net present value to all ratepayers of  
10 the net metering program.

11 (ii) Neither this subdivision (F) nor any other provision of this  
12 section applies to the bill credits afforded to a net metering system for which a  
13 complete application was filed before January 1, 2017. With respect to such a  
14 system, each of the following shall be governed by 30 V.S.A. § 219a and  
15 implementing Board rules as they existed prior to January 1, 2017, and the  
16 most recent net metering rate schedule in effect under section 219a prior to that  
17 date: the amount of the credit to be assigned to each kWh of electricity  
18 generated by the system in excess of the electricity supplied by the  
19 interconnecting provider to the customer, the manner in which the customer's  
20 credit will be applied on the customer's bill, and the period during which a net  
21 metering customer must use the credit.

1       Sec. 3. EFFECTIVE DATE; IMPLEMENTATION

2           (a) Notwithstanding any contrary provision of 1 V.S.A. § 214, this act shall  
3       apply retroactively to January 1, 2017.

4           (b) This act shall supersede any contrary provision of Public Service Board  
5       rule or order or rate schedule approved by the Board.

6           (c) On or before the second billing period after passage of this act, each  
7       retail electricity provider shall adjust the bills for each preexisting net metering  
8       system to conform to this act. In this section, “preexisting net metering  
9       system” means a system for which a complete application was filed before  
10       January 1, 2017 and that is in service as of passage of this act.