

**HOUSE ENERGY AND TECHNOLOGY**  
**LAW APPLICABLE TO GRANDFATHERING OF NET METERING SYSTEMS**  
Office of Legislative Council Jan. 27, 2017

**2014 Acts and Resolves No. 99, Sec. 10**

(c) Sec. 2 (repeal of 30 V.S.A. §§ 219a, 219b) shall take effect on January 1, 2017. However, nothing in this section or in the repeal of 30 V.S.A. § 219a or 219b shall affect the validity or terms of a certificate of public good issued for a net metering system prior to that date. A solar net metering system receiving a mandatory incentive under 30 V.S.A. § 219a(h)(1)(K) shall continue to receive that incentive through the end of the 10-year period set forth in that subdivision.

\* \* \*

(f) **30 V.S.A. § 219a and rules adopted under that section shall govern applications for net metering systems filed prior to January 1, 2017.**

(g) 30 V.S.A. § 8010 and rules adopted under that section shall govern applications for net metering systems filed on and after January 1, 2017.

\* \* \*

**2015 Acts and Resolves No. 56, Sec. 28**

(b) Secs. 1 through 7, 9, 11, 13, 14, 15 through 17, 19, 20, and 21 through 26 shall take effect on July 1, 2015. **Sec. 11 (net metering systems; environmental attributes) shall not apply to complete applications filed prior to its effective date.**

\* \* \*

(d) Sec. 12 (net metering systems; environmental attributes) shall amend 30 V.S.A. § 8010 as added effective January 1, 2017 by 2014 Acts and Resolves No. 99, Sec. 4. Sec. 12 shall take effect on January 2, 2017, except that, notwithstanding 1 V.S.A. § 214, the section shall apply to the Public Service Board process under 2014 Acts and Resolves No. 99, Sec. 5. **Sec. 12 shall not affect a net metering system for which a complete application was filed before January 1, 2017.**

**Vermont Supreme Court: Vested Rights Doctrine (Land Use Cases)**

[A]pplicant gains a vested right in the governing regulations in existence when a full and complete permit application is filed.

In re Paynter 2-Lot Subdivision, 2010 VT 28, ¶ 9.