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H.676

Representative Yantachka of Charlotte moves that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the following:

Sec. 1. 30 V.S.A. § 248(s) is amended to read:

(s) This subsection sets minimum setback requirements that shall apply to in-state ground-mounted solar electric generation facilities approved under this section, unless the facility is installed on a canopy constructed on an area primarily used for parking vehicles that is in existence or permitted on the date the application for the facility is filed.

* * *

Sec. 2. 30 V.S.A. § 248b is amended to read:

§ 248b. FEES; AGENCY OF NATURAL RESOURCES; PARTICIPATION
IN SITING PROCEEDINGS

(a) Establishment. This section establishes fees for the purpose of supporting the role of the Agency of Natural Resources (the Agency) in reviewing applications for in-state facilities under sections 248 and 248a of this title.

* * *

(d) Electric and natural gas facilities. This subsection sets fees for applications under section 248 of this title.

1 Including 500 kW, and for Facilities Using Other Technologies up to and
2 Including 50 kW

3 (A) Applicability. This application procedure is applicable to
4 ground-mounted photovoltaic net-metering systems that are greater than
5 15 kW and up to 50 kW in capacity, wind net-metering facilities that are
6 greater than 15 kW and up to 50 kW in capacity that are located on a working
7 farm as farm is defined in 6 V.S.A. § 851, and photovoltaic net-metering
8 systems greater than 15 kW installed on a parking lot canopy. This application
9 procedure is also applicable to net-metering systems of 50 kW or less that use
10 other eligible technologies or that are wind net-metering systems not located
11 on a working farm. This application procedure does not apply to hydroelectric
12 facilities or roof-mounted photovoltaic net-metering systems.

13 * * *

14 (e) In Sec. 5.107(A) of the Rules, the sentence after “Applicability” is
15 amended to read:

16 This application procedure is applicable to net-metering systems greater than
17 50 kW that are not photovoltaic systems mounted on a roof or parking lot
18 canopy or are not hydroelectric facilities.

19 (f) On or before August 1, 2018, the Public Utility Commission shall
20 conform the published version of the Rules described in this section to the
21 amendments made in subsections (b) through (e) of this section. Provided such

1 conformance is the only revision to the Rules, the rulemaking procedures of
2 the Vermont Administrative Procedure Act shall not apply to the publication of
3 this conformed version of the Rules. However, on publication, the
4 Commission shall send a copy of the conformed version of the Rules to the
5 Office of the Secretary of State and the Legislative Committee on
6 Administrative Rules.

7 Sec. 4. 30 V.S.A. § 8010 is amended to read:

8 § 8010. SELF-GENERATION AND NET METERING

9 * * *

10 (c) In accordance with this section, the Commission shall adopt and
11 implement rules that govern the installation and operation of net metering
12 systems.

13 * * *

14 (3) The rules shall establish standards and procedures governing
15 application for and issuance or revocation of a certificate of public good for net
16 metering systems under the provisions of section 248 of this title. In
17 establishing these standards and procedures:

18 (A) The rules may waive the requirements of section 248 of this title
19 that are not applicable to net metering systems, including criteria that are
20 generally applicable to public service companies as defined in this title.

1 (B) The rules may modify notice and hearing requirements of this
2 title as the Commission considers appropriate.

3 (C) The rules shall seek to simplify the application and review
4 process ~~as appropriate~~, including ~~simplifying~~:

5 (i) Providing a registration process, in lieu of filing an application,
6 for solar net metering systems of 15 kW or less, wind net metering systems of
7 15 kW or less that are located on a working farm as farm is defined in 6 V.S.A.
8 § 851, and roof-mounted solar net metering systems regardless of size. The
9 registration process also may apply to hydroelectric net metering systems.

10 Under the registration process, a certificate of public good under section 248 of
11 this title shall be deemed issued unless the interconnecting retail provider
12 submits, within a period to be prescribed in the rules, a letter raising
13 interconnection issues to the Commission with a copy to the registrant.

14 (ii) Simplifying the application and review process to encourage
15 solar net metering systems installed on a parking lot canopy, regardless of size.

16 (iii) Simplifying the application and review process to encourage
17 group net metering systems when ~~the system is~~ at least 50 percent ~~owned by~~ of
18 the customers who receive the bill credits for the electricity generated by the
19 system are residential accounts.

20 (iv) Providing such other mechanisms to simplify the application
21 and review process as the Commission determines are appropriate.

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Sec. 5. EFFECTIVE DATES

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This section and Secs. 3 and 4 shall take effect on passage. Secs. 1 and 2

4

shall take effect on July 1, 2018.