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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 **Systems on New Parking Lots and** Facilities Using Other Technologies up to
2 and 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 (PV) net-metering
8 systems greater than 15 kW up to and including 500 kW installed on a
9 parking lot canopy constructed on a parking lot that as of May 1, 2018 is in
10 existence and serves a building used for commercial or industrial
11 purposes. This application procedure is also applicable to net-metering
12 systems of 50 kW or less that use other eligible technologies, that are wind net-
13 metering systems not located on a working farm, or that are PV net-metering
14 systems installed on a parking lot built after May 1, 2018. This application
15 procedure does not apply to hydroelectric facilities or roof-mounted
16 photovoltaic net-metering systems.

17 * * *

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

20 This application procedure is applicable to net-metering systems greater than
21 50 kW that are not photovoltaic systems mounted on a roof or parking lot

1 canopy on a parking lot in existence as of May 1, 2018 or are not
2 hydroelectric facilities.

3 (f) On or before August 1, 2018, the Public Utility Commission shall
4 conform the published version of the Rules described in this section to the
5 amendments made in subsections (b) through (e) of this section. Provided such
6 conformance is the only revision to the Rules, the rulemaking procedures of
7 the Vermont Administrative Procedure Act shall not apply to the publication of
8 this conformed version of the Rules. However, on publication, the
9 Commission shall send a copy of the conformed version of the Rules to the
10 Office of the Secretary of State and the Legislative Committee on
11 Administrative Rules.

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

13 § 8010. SELF-GENERATION AND NET METERING

14 * * *

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

18 * * *

19 (3) The rules shall establish standards and procedures governing
20 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:

3 (A) The rules 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) The rules may modify notice and hearing requirements of this
7 title as the Commission considers appropriate.

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

10 (i) Providing a registration process, in lieu of filing an application,
11 for solar net metering systems of 15 kW or less, wind net metering systems of
12 15 kW or less that are located on a working farm as farm is defined in 6 V.S.A.
13 § 851, and roof-mounted solar net metering systems regardless of size. The
14 registration process also may apply to hydroelectric net metering systems.
15 Under the registration process, a certificate of public good under section 248 of
16 this title shall be deemed issued unless the interconnecting retail provider
17 submits, within a period to be prescribed in the rules, a letter raising
18 interconnection issues to the Commission with a copy to the registrant.

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

