1	H.676
2	Representative Yantachka of Charlotte moves that the bill be amended by
3	striking out all after the enacting clause and inserting in lieu thereof the
4	following:
5	Sec. 1. 30 V.S.A. § 248(s) is amended to read:
6	(s) This subsection sets minimum setback requirements that shall apply to
7	in-state ground-mounted solar electric generation facilities approved under this
8	section, unless the facility is installed on a canopy constructed on an area
9	primarily used for parking vehicles that is in existence or permitted on the date
10	the application for the facility is filed.
11	* * *
12	Sec. 2. 30 V.S.A. § 248b is amended to read:
13	§ 248b. FEES; AGENCY OF NATURAL RESOURCES; PARTICIPATION
14	IN SITING PROCEEDINGS
15	(a) Establishment. This section establishes fees for the purpose of
16	supporting the role of the Agency of Natural Resources (the Agency) in
17	reviewing applications for in-state facilities under sections 248 and 248a of this
18	title.
19	* * *
20	(d) Electric and natural gas facilities. This subsection sets fees for
21	applications under section 248 of this title.

1	(1) There shall be no fee for an electric generation facility less than or
2	equal to 139 50 kW in plant capacity, for roof-mounted photovoltaic systems
3	of any capacity up to and including 500 kW, or for an application filed under
4	subsection 248(k), (l), or (n) of this title.
5	(2) The fee for electric generation facilities greater than $\frac{139}{50}$ kW
6	through five MW in plant capacity shall be calculated as follows, except that in
7	no event shall the fee exceed \$15,000.00:
8	(A) An electric generation facility from 51 kW through 139 kW in
9	plant capacity, \$2.00 per kW.
10	(B) An electric generation facility from 140 kW through 450 kW in
11	plant capacity, \$3.00 per kW.
12	(B)(C) An electric generation facility from 451 kW through 2.2 MW
13	in plant capacity, \$4.00 per kW.
14	(C)(D) An electric generation facility from 2.201 MW through five
15	MW in plant capacity, \$5.00 per kW.
16	* * *
17	Sec. 3. PUBLIC UTILITY COMMISSION; AMENDMENT TO NET
18	METERING RULES
19	(a) This section amends the net metering rules of the Public Utility
20	Commission, currently adopted as Rule 5.100 of that Commission (Rules).

1	(b) In Section 5.103, subdivision (2) of the definition of "preferred sites" is
2	amended to read:
3	(2) A parking lot canopy over a paved parking lot constructed with an
4	impervious or engineered pervious surface, provided that the location remains
5	in use as a parking lot;
6	(c) Sec. 5.105 of the Rules is amended to read:
7	5.105 Registration of Hydroelectric Facilities, Ground-Mounted Photovoltaic
8	Facilities of up to 15 kW in Capacity, Wind Generation Facilities of up to
9	15 kW in Capacity on a Farm, and Roof-Mounted Photovoltaic Net-Metering
10	Systems of Any Capacity up to 500 kW
11	(A) <u>Applicability</u> . The registration procedure is applicable only to
12	hydroelectric facilities, ground-mounted photovoltaic systems of up to 15 kW,
13	wind net-metering systems of up to 15 kW capacity located on a working farm
14	as farm is defined in 6 V.S.A. § 851, and photovoltaic net-metering systems
15	that are mounted on a roof.
16	* * *
17	(d) In Sec. 5.106(A) of the Rules, the sentence after "Applicability" is
18	amended to read:
19	This application procedure is applicable to ground-mounted
20	photovoltaic net-metering systems that are greater than 15 kW and up to 50
21	kW in capacity and wind net-metering systems that are greater than 15 kW and

1	up to 50 kW in capacity that are located on a working farm as farm is defined
2	in 6 V.S.A. § 851. This application procedure is also applicable to net-
3	metering systems of 50 kW or less that use other eligible technologies or that
4	are wind net-metering systems not located on a working farm. This application
5	procedure does not apply to hydroelectric facilities or roof-mounted
6	photovoltaic net-metering systems.
7	* * *
8	(e) On or before August 1, 2018, the Public Utility Commission shall
9	conform the published version of the Rules described in this section to the
10	amendments made in subsections (b) through (d) of this section. Provided
11	such conformance is the only revision to the Rules, the rulemaking procedures
12	of the Vermont Administrative Procedure Act shall not apply to the publication
13	of this conformed version of the Rules. However, on publication, the
14	Commission shall send a copy of the conformed version of the Rules to the
15	Office of the Secretary of State and the Legislative Committee on
16	Administrative Rules.
17	Sec. 4. 30 V.S.A. § 8010 is amended to read:
18	§ 8010. SELF-GENERATION AND NET METERING
19	* * *

1	(c) In accordance with this section, the Commission shall adopt and
2	implement rules that govern the installation and operation of net metering
3	systems.
4	* * *
5	(3) The rules shall establish standards and procedures governing
6	application for and issuance or revocation of a certificate of public good for net
7	metering systems under the provisions of section 248 of this title. In
8	establishing these standards and procedures:
9	(A) The rules may waive the requirements of section 248 of this title
10	that are not applicable to net metering systems, including criteria that are
11	generally applicable to public service companies as defined in this title.
12	(B) The rules may modify notice and hearing requirements of this
13	title as the Commission considers appropriate.
14	(C) The rules shall seek to simplify the application and review
15	process as appropriate, including simplifying:
16	(i) Providing a registration process, in lieu of filing an application,
17	for solar net metering systems of 15 kW or less, wind net metering systems of
18	15 kW or less that are located on a working farm as farm is defined in 6 V.S.A.
19	§ 851, and roof-mounted solar net metering systems regardless of size. The
20	registration process also may apply to hydroelectric net metering systems.
21	Under the registration process, a certificate of public good under section 248 of

1	this title shall be deemed issued unless the interconnecting retail provider
2	submits, within a period to be prescribed in the rules, a letter raising
3	interconnection issues to the Commission with a copy to the registrant.
4	(ii) Simplifying the application and review process to encourage
5	group net metering systems when the system is at least 50 percent owned by of
6	the customers who receive the bill credits for the electricity generated by the
7	system are residential accounts.
8	(iii) Providing such other mechanisms to simplify the application
9	and review process as the Commission determines are appropriate.
10	* * *
11	Sec. 5. EFFECTIVE DATES
12	This section and Secs. 3 and 4 shall take effect on passage. Secs. 1 and 2
13	shall take effect on July 1, 2018.