

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Energy and Technology to which was referred House
3 Bill No. 676 entitled “An act relating to miscellaneous energy subjects”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

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

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

13 * * *

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

15 § 248b. FEES; AGENCY OF NATURAL RESOURCES; PARTICIPATION

16 IN SITING PROCEEDINGS

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

21 * * *

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

3 (1) There shall be no fee for an electric generation facility less than or
4 equal to ~~139~~ 50 kW in plant capacity, for roof-mounted photovoltaic systems
5 of any capacity up to and including 500 kW, or for an application filed under
6 subsection 248(k), (l), or (n) of this title.

7 (2) The fee for electric generation facilities greater than ~~139~~ 50 kW
8 through five MW in plant capacity shall be calculated as follows, except that in
9 no event shall the fee exceed \$15,000.00:

10 (A) An electric generation facility from 51 kW through 139 kW in
11 plant capacity, \$2.00 per kW.

12 (B) An electric generation facility from 140 kW through 450 kW in
13 plant capacity, \$3.00 per kW.

14 ~~(B)~~(C) An electric generation facility from 451 kW through 2.2 MW
15 in plant capacity, \$4.00 per kW.

16 ~~(C)~~(D) An electric generation facility from 2.201 MW through five
17 MW in plant capacity, \$5.00 per kW.

18 * * *

19 Sec. 3. 30 V.S.A. § 8010 is amended to read:

20 § 8010. SELF-GENERATION AND NET METERING

21 * * *

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

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Sec. 4. NET METERING REGISTRATION; SMALL WIND ON FARMS

The Public Utility Commission (the Commission) shall consider and determine whether to amend its existing Rule 5.105 to provide for registration of wind net metering systems of up to 15 kW capacity located on a working farm as farm is defined in 6 V.S.A. § 851.

(1) The Commission shall make this determination in writing on or before September 1, 2018 and provide a copy of the determination to the House Committee on Energy and Technology and the Senate Committees on Finance and on Natural Resources and Energy. In the determination, the Commission shall explain the reasons for its decision.

(2) If the Commission determines to proceed with such a rule amendment, then on or before November 1, 2018 it shall prefile a proposed rule amendment under 3 V.S.A. § 837. The scope of the rulemaking may be limited at the Commission’s discretion to whether to provide for registration of wind net metering systems of up to 15 kW capacity located on a working farm as farm is defined in 6 V.S.A. § 851.

Sec. 5. EFFECTIVE DATE

This section and Sec. 4 shall take effect on passage. The remainder of this act shall take effect on July 1, 2018.

1 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE