

1 S.125

2 Introduced by Senator Rodgers

3 Referred to Committee on

4 Date:

5 Subject: Energy; public service; facility siting; general good of the State; direct  
6 impacts

7 Statement of purpose of bill as introduced: This bill proposes to require that,  
8 in evaluating whether a proposed electric generation facility promotes the  
9 general good of the State, direct impacts within the State shall take precedence  
10 over indirect benefits based on the facility's effects outside the State.

11 An act relating to whether an energy facility promotes the general good of  
12 the State

13 It is hereby enacted by the General Assembly of the State of Vermont:

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

15 (a)(1) No company, as defined in section 201 of this title, may:

16 \* \* \*

17 (2) Except for the replacement of existing facilities with equivalent  
18 facilities in the usual course of business, and except for electric generation  
19 facilities that are operated solely for on-site electricity consumption by the  
20 owner of those facilities and for hydroelectric generation facilities subject to

1 licensing jurisdiction under the Federal Power Act, 16 U.S.C. chapter 12,  
2 subchapter 1:

3 (A) no company, as defined in section 201 of this title, and no person,  
4 as defined in 10 V.S.A. § 6001(14), may begin site preparation for or  
5 construction of an electric generation facility or electric transmission facility  
6 within the State which is designed for immediate or eventual operation at any  
7 voltage; and

8 (B) no such company may exercise the right of eminent domain in  
9 connection with site preparation for or construction of any such transmission or  
10 generation facility, unless the Public Service Board first finds that the same  
11 will promote the general good of the State and issues a certificate to that effect.

12 In determining whether an electric generation facility promotes the general  
13 good of the State, the Board shall give precedence to direct impacts from the  
14 facility occurring within the State over indirect benefits based on the facility's  
15 effect outside the State, such as the mix of generation resources connected to  
16 the New England transmission system.

17 \* \* \*

18 Sec. 2. EFFECTIVE DATE

19 This act shall take effect on July 1, 2017.