

H. 411.

An act relating to Vermont's energy efficiency standards for appliances and equipment.

**Amendment to Senate proposal of amendment to H. 411 to be offered by
Senators MacDonald, Lyons and Sirotkin before Third Reading**

Senators MacDonald, Lyons and Sirotkin move to amend the Senate proposal of amendment as follows:

First: After its reader assistance, by striking out Sec. 7 in its entirety and inserting in lieu thereof two new sections to be Secs. 7 and 7a to read:

Sec. 7. LEGISLATIVE INTENT

The General Assembly intends that the Public Service Board, in adopting rules pursuant to 30 V.S.A. § 8010, minimize the effect of those rules on existing net metering systems as defined in Sec. 7a of this act.

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

§ 8010. SELF-GENERATION AND NET METERING

* * *

(f) Rather than the other provisions of this section, an existing net metering system shall be governed by the provisions of section 219a of this title and Board rules implementing that section as they existed on December 31, 2016, except that the Board may allow a provider, commencing 10 years from the date on which an existing net metering system was interconnected to the provider's distribution system, to calculate credits for kWh generated by the system at the blended residential rate or disallow applying such credits to nonbypassable charges, or both.

(1) In such case, a customer with an existing net metering system may continue to apply credits for kWh generated by the system to nonbypassable charges for a period of 10 years from the date on which the system was interconnected to the distribution system of the provider.

(2) As used in this subsection (f):

(A) "Blended residential rate" means the lower of the provider's residential retail rate or the weighted statewide average of all providers' residential retail rates, as determined by the Board. For the purpose of this subdivision (A):

(i) If a provider's general residential service tariff does not include inclining block rates, the provider's residential rate shall be the dollars per kWh charge set forth in that provider's tariff for general residential service.

(ii) If a provider's general residential service tariff does include inclining block rates, the provider's residential rate shall be a blend of the provider's general residential service inclining block rates that is determined by adding together all of the revenues to the provider during the most recent calendar year from kWh sold under those block rates and dividing the sum by the total kWh sold by the company at those rates during the same year.

(B) "Existing net metering system" means a net metering system for which a complete application was filed with the Board before January 1, 2017.

(C) "Nonbypassable charge" means a charge on the bill of a retail electricity provider that a customer must pay whether or not the customer engages in net metering. Only the following shall be nonbypassable charges under this subsection (f):

(i) the customer charge;

(ii) the energy efficiency charge pursuant to subdivision 209(d)(3) of this title;

(iii) the energy assistance program charge pursuant to subsection 218(e) of this title;

(iv) a charge for on-bill financing not related to a net metering system; and

(v) an equipment rental charge.

Second: After its reader assistance, by striking out Sec. 9 in its entirety and inserting in lieu thereof a new Sec. 9 to read:

Sec. 9. EFFECTIVE DATES; APPLICABILITY

(a) This act shall take effect on passage.

(b) Notwithstanding 1 V.S.A. § 214 and any contrary provision of 2014 Acts and Resolves No. 99, Sec. 10(f), Secs. 7 and 7a shall apply to:

(1) existing net metering systems as defined in Sec. 7a;

(2) net metering systems for which complete applications were or are filed on or after January 1, 2017; and

(3) net metering rules of the Public Service Board adopted on or after January 1, 2017.

**Amendment to Senate proposal of amendment to H. 411 to be offered by
Senator Rodgers before Third Reading**

Senator Rodgers moves that the Senate proposal of amendment be further amended after Sec. 8 by inserting four new sections to be numbered Secs. 9, 10, 11, and 12 and reader assistances thereto to read: