

1 Yantachka Proposal

2 TO THE HOUSE OF REPRESENTATIVES:

3 The Committee on Energy and Technology to which was referred House
4 Bill No. 133 entitled “An act relating to miscellaneous energy subjects”
5 respectfully reports that it has considered the same and recommends that the
6 House propose to the Senate that the bill be further amended by striking out
7 Sec. 24, effective date, in its entirety and inserting four new sections and their
8 reader assistance headings to read:

9 * * * Net Metering * * *

10 Sec. X. 30 V.S.A. § 248(u) is added to read:

11 (u)(1) For projects located on preferred sites, as defined in section 8002 of
12 this title, the Commission shall establish simplified processes for the issuance
13 of certificates of public good that:

14 (A) reduce the cost and time associated with reviewing and
15 processing an application to construct a plant on a preferred site; and

16 (B) encourage the construction of plants on preferred sites.

17 (2) A plant of any size mounted on a roof and all plants with a capacity
18 of 15 kw or less shall be registered with the Commission using a form
19 prescribed by the Commission for that purpose. A copy of such registration
20 shall be provided to the Agency of Natural Resources, the Department of
21 Public Service, and the interconnecting retail electric service provider. A

1 certificate of public good shall be deemed issued pursuant to this section on the
2 11th calendar day following the registration.

3 (3) Not later than August 1, 2019, the Commission shall establish by
4 order a form for the registration of a plant of more than 15 kW mounted on a
5 parking canopy pursuant to this subdivision. The Commission shall require the
6 notice and registration of such parking canopy plants to include a site plan
7 depicting the location and dimensions of the parking canopy. Not less than 30
8 calendar days before registering such a parking canopy plant with the
9 Commission, the registrant shall provide notice of its intent to register a
10 parking canopy plant to the municipality where the plant will be located, the
11 Agency of Natural Resources, the Department of Public Service, and the
12 interconnecting retail electric service provider. The registrant shall also
13 provide a copy of the completed registration form and site plan to the
14 municipality where the plant will be located, the Department of Public Service,
15 the Agency of Natural Resources, and the interconnecting retail electric service
16 provider.

17 (A) A registration made pursuant to this subdivision does not relieve
18 the registrant from the obligation to obtain any State building, electrical, and
19 environmental permits that otherwise apply to a parking canopy plant.

20 (B) A certificate of public good pursuant to this subdivision shall be
21 deemed issued on the 31st calendar day following the registration unless, the

1 municipality where the plant will be located or the Agency of Natural
2 Resources file a letter within seven calendar days of the registration, which
3 raises a significant issue that requires resolution before construction may
4 begin.

5 (4) Under the registration processes required by this subdivision, no
6 plant may interconnect if the interconnecting retail electric service provider
7 files a letter with the Commission within seven calendar days of the
8 registration that identifies interconnection issues that need resolution before the
9 interconnection may occur. A copy of the letter must be sent to the registrant
10 and the installer of the plant identified on the registration form.

11 Sec. X. 30 V.S.A. § 8002(30) is added to read:

12 (30)(A) “Preferred site” means a site within the State on which a
13 renewable energy plant will be located that is one of the following:

14 (i) A new or existing impervious surface or structure whose
15 primary use is not the generation of electricity or providing support for the
16 placement of equipment that generates electricity.

17 (ii) A canopy over an existing or new parking lot constructed with
18 an impervious or engineered pervious surface, provided that the location
19 remains in use as a parking lot.

20 (iii) A tract previously developed for a use other than siting a plant
21 on which a structure or impervious surface was lawfully in existence at any

1 time during the year preceding the date an application for a certificate of public
2 good is filed. To qualify under this subdivision (iii), the energy generation
3 component of the plant must be located entirely within the footprint of either
4 the structure or impervious surface. The limits of disturbance may not include
5 any headwaters, streams, shorelines, floodways, rare and irreplaceable natural
6 areas, necessary wildlife habitat, wetlands, endangered species, productive
7 forest soils, or primary agricultural soils as defined in 10 V.S.A. chapter 151.
8 For purposes of this subsection, the energy generation component of the plant
9 does not include interconnection equipment.

10 (iv) A parcel containing land certified by the Secretary of Natural
11 Resources to be a brownfield site as defined under 10 V.S.A. § 6642, provided
12 any request to the Secretary of Natural Resources for such certification
13 includes a report from a diligent and appropriate investigation, as required
14 under 10 V.S.A. chapter 159.

15 (v) A sanitary landfill as defined in 10 V.S.A. § 6602, and
16 contiguous land, structures, appurtenances, and improvements on the land or
17 parcels used for treating, storing, or disposing of solid waste, provided that the
18 Secretary of Natural Resources certifies that the land constitutes such a
19 landfill, and contiguous land, structures, appurtenances, or improvements, and
20 that the landfill is actively maintained under the authority of a post-closure
21 certification, administrative order, or assurance of discontinuance, or in

1 custodial care as recognized by the Agency of Natural Resources. To qualify
2 under this subdivision, some portion of the plant must be located on the landfill
3 cap.

4 (vi) A gravel pit, quarry, or similar site for the extraction of a
5 mineral resource, provided that:

6 (I) the site was developed and used as an extraction site at least
7 three years prior to the date on which an application for a certificate of public
8 good is filed;

9 (II) the energy generation component of the plant is located
10 entirely within the disturbed or previously disturbed portion of the extraction
11 site. For purposes of this subdivision, the energy generation component of the
12 plant does not include interconnection equipment; and

13 (III) all state and local permit conditions related to reclamation
14 of the site are satisfied prior to the operation of the plant or within a reasonable
15 time following plant commissioning.

16 (vii) A specific location designated in a duly adopted municipal or
17 regional plan under 24 V.S.A. chapter 117 for the siting of a plant; or a specific
18 location that is identified as suitable for development in a joint letter or letters
19 from the municipal legislative body, municipal planning commission, and the
20 regional planning commissions in the community where the plant will be
21 located.

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3 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE