

1 S.95

2 Representative Yantachka of Charlotte moves to amend the report of the
3 Committee on Energy and Technology by striking out Secs. 4, 5 and 6 in their
4 entireties and inserting in lieu thereof:

5 Sec. 4. 30 V.S.A. § 248(u) is added to read:

6 (u) For preferred sites as defined in section 8002 of this title, the

7 Commission shall:

8 (1) Establish simplified processes for the issuance of certificates of
9 public good that shall:

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

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

13 (2) A plant of any size mounted on a roof and all plants with a capacity
14 of 15 kw or less shall be registered with the Commission using a form adopted
15 by the Commission for that purpose. A copy of such registration shall be
16 provided to the Agency of Natural Resources, the Department of Public
17 Service, and the interconnecting retail electric service provider. A certificate
18 of public good shall be deemed issued pursuant to this title on the eleventh
19 calendar day following the registration.

20 (3) Not later than August 1, 2019, the Commission shall establish by
21 order a form for the registration of a plant of more than 15 kW mounted on a

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

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

16 (B) A certificate of public good pursuant to this subdivision shall be
17 deemed issued pursuant to this title on the 31st calendar day following the
18 registration, unless the municipality where the plant will be located or the
19 Agency of Natural Resources file a letter within seven calendar days of the
20 registration, which raises a significant issue that requires resolution before
21 construction may begin.

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

7 Sec. 5. 30 V.S.A. § 8001(a) is amended to read:

8 (a) The General Assembly finds it in the ~~interest~~ interests of the people of
9 the State to promote the State energy policy established in section 202a of this
10 title by:

11 * * *

12 (9) Establishing mandatory time frames for review and approval of
13 renewable energy projects and systems.

14 Sec. 6. 30 V.S.A. § 8002(30) is added to read:

15 (30) “Preferred site” means one of the following. For purposes of this
16 section the electricity generation component of the plant does not include
17 interconnection equipment. A significant portion of the electric generation
18 component of the plant must be located on the preferred site:

19 (A) A new or existing impervious surface or structure whose primary
20 use is not the generation of electricity or providing support for the placement
21 of equipment that generates electricity.

1 (B) A canopy over an existing or new parking lot constructed with an
2 impervious or engineered pervious surface, provided that the location remains
3 in use as a parking lot.

4 (C) A tract previously developed for a use other than siting a plant on
5 which a structure or impervious surface was lawfully in existence at any time
6 during the year preceding the date an application for a certificate of public
7 good is filed. To qualify under this subdivision (C), the limits of disturbance
8 may not include any headwaters, streams, shorelines, floodways, rare and
9 irreplaceable natural areas, necessary wildlife habitat, wetlands, endangered
10 species, productive forest soils, or primary agricultural soils as defined in 10
11 V.S.A. chapter 151.

12 (D) A parcel containing land certified by the Secretary of Natural
13 Resources to be a brownfield site as defined under 10 V.S.A. § 6642.

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

1 (F) A lawful gravel pit, quarry, or similar site where the extraction of
2 a mineral resource occurred, provided that State and local permit conditions
3 related to reclamation of the site are satisfied prior to the operation of the plant
4 or within a reasonable time following plant commissioning.

5 (G) A specific location designated in a duly adopted municipal or
6 regional plan under 24 V.S.A. chapter 117 for the siting of a plant; or a specific
7 location that is identified as suitable for development in a letter or letters from
8 the municipal legislative body, municipal planning commission, and the
9 regional planning commissions in the community where the plant will be
10 located.

11 (H) A site listed on the National Priorities List (NPL) established
12 under the Comprehensive Environmental Response, Compensation, and
13 Liability Act, 42 U.S.C. chapter 103, if the U.S. Environmental Protection
14 Agency or the Agency of Natural Resources confirms that the site is listed on
15 the NPL, and further provided that the applicant demonstrates as part of its
16 application that:

17 (i) development of the plant on the site will not compromise or
18 interfere with remedial action on the site; and

19 (ii) the site is suitable for development of the plant.

1 (I) On the same parcel as, adjacent to, or on the same electrical feeder
2 of a customer that has been allocated at least 50 percent of the system's
3 electrical output.

4 (J) A plant where residential customers located within the same
5 county as the plant receive at least 50 percent of the system's electrical output.

6 (K) Additional locations that the Commission defines via
7 rulemaking.