

Vermont Community Solar Association
12 Pleasant Ave.
South Burlington, VT 05403

December 11, 2023

Testimony before the Legislative Committee on Administrative Rules on PUC Rule 5.100

Mr. Chairman, and members of the committee,

Thank you for the opportunity to share these thoughts. I am Stephen Crowley, director of Vermont Community Solar Association. We are a statewide network of community solar subscribers, developers, and other interested people seeking ways to support this important aspect of our clean energy future.

We believe that community solar plays a vital role, given that well more than half of all Vermonters do not have the access to rooftop solar, because of shade or other aspects of building ownership or construction. Community solar, whether a project is shared by a few or by a hundred different offtakers, offers the opportunity to own a stake in this future, with the potential for long term price stability, and certainty about sourcing planet-friendly power. While traditional, central power plants inherently demanded utility monopoly over production, today's technology offers the freedom of owning your own power. Now, especially as we electrify everything and our utilities are booking at extending that monopoly over all sectors of energy use, community solar represents an important opportunity for Vermonters to control their own energy future.

The subject of this set of proposed rule changes, net metering, has been the primary avenue for support of community solar. Through a series of more and more restrictive rulings over the last two decades, community solar is not the open opportunity it once was. There are projects out there, but many individuals and families seeking to participate are deterred by this decreasing support from the PUC. This set of rule changes continues down that unfortunate road, in ways that we feel are arbitrary, prejudicial, and unjust.

I am going to focus on one element of the proposed rules, regarding the new limitations on forest removal of any forest area greater than 3 acres.

First, let me be clear that there are plenty of high quality forest areas that deserve this protection from net metered solar and, indeed, any other type of development. But if you live in Vermont you know that not all forests are the same. While many forest areas possess high value for habitat or for carbon storage, others do not. This rule lumps them all together. The rule defines a forest as any area where tree crowns have greater than ten percent coverage. That will include many areas that are really not the kind of forest that demand protection. We don't find

anywhere in this rule or the support materials the rationale for why the valuable public purpose of net metered solar should be denied in all of these areas.

In its background material, the PUC suggests that this is not a problem because the potential users or developers can simply use one of the other procurement programs to accomplish their goals. If other procurement methods, such as a direct power purchase agreement with a utility, would not face this restriction, why would it apply only to net metering projects? This does not feel like forest protection to us; it feels like an arbitrary roadblock discriminating against net metering and, most importantly, against its potential users. Given that the vast majority of community solar projects are supported through the net metering approach, and that the majority of Vermonters will only achieve solar access through this, we see this as unfairly harming a large class of Vermonters.

The PUC suggests that a shift to other approaches has already been happening. This comes as no surprise, considering that it is the past unfavorable actions of the PUC that have been forcing this shift. It does not mean that those other approaches are better, it just means that the PUC's actions have already made net metering, particularly community net metering, more difficult.

The Vermont Community Solar Association has come together in recognition of the widespread demand for better access to this important resource. We see this aspect of the rule changes as unreasonably and arbitrarily making access even more difficult. We urge LCAR to weigh in with its objection to this aspect of the proposed rule changes.

Thank you for your time and consideration.

Stephen Crowley
Director, Vermont Community Solar Association