

1 H.394

2 Introduced by Representative Sheldon of Middlebury

3 Referred to Committee on

4 Date:

5 Subject: Public service; energy; renewable energy; solar energy

6 Statement of purpose of bill as introduced: This bill proposes to require  
7 compliance with Vermont Conservation Design as part of enhanced energy  
8 planning; it would limit the scope of the Public Utility Commission's review of  
9 electric distribution upgrades to stability, reliability, and public health and  
10 safety; and it would create a Public Energy Advocate to assist applicants for  
11 energy generation facilities.

12 An act relating to renewable energy generation

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

14 Sec. 1. 24 V.S.A. § 4352 is amended to read:

15 § 4352. OPTIONAL DETERMINATION OF ENERGY COMPLIANCE;

16 ENHANCED ENERGY PLANNING

17 \* \* \*

18 (c) Enhanced energy planning; requirements. To obtain an affirmative  
19 determination of energy compliance under this section, a plan must:

1 (1) in the case of a regional plan, include the energy element as  
2 described in subdivision 4348a(a)(3) of this title;

3 (2) in the case of a municipal plan, include an energy element that has  
4 the same components as described in subdivision 4348a(a)(3) of this title for a  
5 regional plan and be confirmed under section 4350 of this title;

6 (3) be consistent with the following, with consistency determined in the  
7 manner described under subdivision 4302(f)(1) of this title:

8 (A) Vermont's greenhouse gas reduction ~~goals~~ requirements under 10  
9 V.S.A. § 578(a);

10 (B) Vermont's 25 by 25 goal for renewable energy under 10 V.S.A.  
11 § 580;

12 (C) Vermont's building efficiency goals under 10 V.S.A. § 581;

13 (D) State energy policy under 30 V.S.A. § 202a and the  
14 recommendations for regional and municipal energy planning pertaining to the  
15 efficient use of energy and the siting and development of renewable energy  
16 resources contained in the State energy plans adopted pursuant to 30 V.S.A.  
17 §§ 202 and 202b; ~~and~~

18 (E) the distributed renewable generation and energy transformation  
19 categories of resources to meet the requirements of the Renewable Energy  
20 Standard under 30 V.S.A. §§ 8004 and 8005; and

21 (F) Vermont Conservation Design; and





1 ~~shall be considered one plant if the group is part of the same project and uses~~  
2 ~~common equipment and infrastructure such as roads, control facilities, and~~  
3 ~~connections to the electric grid. Common ownership, contiguity in time of~~  
4 ~~construction, and proximity of facilities to each other shall be relevant to~~  
5 ~~determining whether a group of facilities is part of the same project.~~

6 Independent technical facilities that are collocated on the same parcel shall not  
7 be considered a single plant if each facility uses separate generators, inverters,  
8 and production meters, as applicable, and each facility has a separate  
9 interconnection point to the electric grid. An interconnection point is the point  
10 at which the interconnection between the interconnecting utility's electric  
11 system and the renewable energy plant's equipment interface occurs. Utility-  
12 owned electric distribution and transmission lines shall not be considered part  
13 of a plant or interconnection point. For purposes of eligibility in the net-  
14 metering program under section 8010 of this chapter, collocated independent  
15 technical facilities may not exceed a cumulative total of 500 kW in nameplate  
16 capacity.

17 Sec. 4. 30 V.S.A. § 248 is amended to read:

18 § 248. NEW GAS AND ELECTRIC PURCHASES, INVESTMENTS, AND  
19 FACILITIES; CERTIFICATE OF PUBLIC GOOD

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

21 \* \* \*



1 application within 15 months following the application being deemed  
2 complete.

3 \* \* \*

4 (v) The Commission shall have no jurisdiction under this section to  
5 consider the actual or potential impacts caused by any electric distribution  
6 upgrades except to assess impacts under subdivision (b)(3) of this section and  
7 the public health and safety impacts under subdivision (b)(5) of this section.  
8 Party status and notice requirements related to distribution upgrades shall be  
9 consistent with the scope of the Commission's jurisdiction described in this  
10 subsection, with the exception of affected electric utilities and the Department  
11 of Public Service.

12 Sec. 5. 3 V.S.A. § 153 is amended to read:

13 § 153. GENERAL POWERS; DEPUTY, ASSISTANTS

14 (a) The Attorney General shall have the general supervision of criminal  
15 prosecutions, shall consult with and advise the State's Attorneys in matters  
16 relating to the duties of their office, and shall assist them by attending the  
17 grand jury in the examination of any cause or in the preparation of indictments  
18 and informations when, in ~~his or her~~ the Attorney General's judgment, the  
19 interests of the State require it.

20 \* \* \*

1        (d) The Attorney General shall appoint a Public Energy Advocate who  
2        shall assist applicants with the process for receiving a certificate of public good  
3        under 30 V.S.A. § 248. The Public Energy Advocate shall advocate for the  
4        applicant and the public before the Public Utility Commission for the  
5        development of new energy storage and generation projects.

6        Sec. 6. POSITION; APPROPRIATION

7        (a) There is created one full-time permanent exempt Public Energy  
8        Advocate position in the Office of the Attorney General.

9        (b) In fiscal year 2026, the sum of \$120,000.00 is appropriated from the  
10       General Fund to the Office of the Attorney General for the position created in  
11       subdivision (a) of this section.

12       Sec. 7. ENERGY PROJECTS AND FOREST BLOCKS; REPORT

13       On or before December 15, 2025, the Public Utility Commission shall  
14       report to the House Committees on Energy and Digital Infrastructure and on  
15       Environment and the Senate Committee on Natural Resources and Energy on  
16       how much forest land has been converted for renewable energy generation  
17       facilities and what types of mitigation, if any, were implemented for those  
18       projects.

19       Sec. 8. EFFECTIVE DATE

20       This act shall take effect on July 1, 2025.