

1 H.710

2 Introduced by Representatives Campbell of St. Johnsbury and James of
3 Manchester

4 Referred to Committee on

5 Date:

6 Subject: Public service; utility companies; renewable energy programs;
7 definitions; plant

8 Statement of purpose of bill as introduced: This bill proposes to amend the
9 definition of “plant” to clarify when the Public Utility Commission would
10 consider multiple energy-generating facilities to be a single facility. This bill
11 would consider a plant with multiple energy-generating facilities to be a single
12 facility if the facilities use the same electricity-generating technology and if the
13 facilities are on the same parcel or contiguous parcels of land, unless an
14 exception applies.

15 An act relating to defining electricity generating facilities

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

17 Sec. 1. 30 V.S.A. § 8002 is amended to read:

18 § 8002. DEFINITIONS

19 As used in this chapter:

20 * * *

(18) “Plant” means an independent technical facility that generates electricity from renewable energy. ~~A group of facilities, such as wind turbines, shall be considered one plant if the group is part of the same project and uses common equipment and infrastructure such as roads, control facilities, and connections to the electric grid. Common ownership, contiguity in time of construction, and proximity of facilities to each other shall be relevant to determining whether a group of facilities is part of the same project. Multiple electricity-generating facilities, regardless of when each is constructed, shall be considered one plant if the facilities use the same electricity-generating technology and are located on the same parcel or contiguous parcels of land. Such facilities shall only be considered separate plants if they meet one of the following exceptions:~~

13 (A) Exception for individual net-metering and self-consumption.

14 Applies if the facilities:

15 (i) are not located on the same parcel of land;

1 (ii) are wired to offset consumption on separate billing meters; and
2 (iii) supply different retail customers.

3 (C) Exception for colocation of renewable energy program facilities.
4 More than one facility may be located on the same parcel or contiguous parcels
5 with net-metering, Standard Offer Program facilities, or other Renewable
6 Energy Standard Tier II facilities when:

7 (i) the facilities have separate points of interconnection; and
8 (ii) not more than the statutory capacity cap for net-metering or
9 the statutory capacity cap for the Standard Offer Program is sited on the same
10 parcel or contiguous parcels and a net-metering facility and a Standard Offer
11 facility are not sited on the same parcel or contiguous parcels.

12 * * *

13 (33) “Common interest community” means real estate described in a
14 declaration with respect to which a person, by virtue of the person’s ownership
15 of a unit, is obligated to pay for a share of real estate taxes on, insurance
16 premiums, maintenance, or improvement of, or services or other expenses
17 related to common elements, other units, or other real estate than that unit
18 described in the declaration.

19 (34) “Contiguous” means sharing a property boundary with another
20 parcel of land or being adjacent to that parcel of land and the two parcels are
21 separated only by a road, recreation path, railway line, stream, or river.

1 (35) “Electricity-generating technology” means a method or system
2 used to convert energy from one form into electric power, including wind,
3 hydropower or water, solar, or biomass.

4 (36) “Point of interconnection” means the point on the interconnecting
5 utility’s existing distribution system to which a facility proposes to
6 interconnect.

7 Sec. 2. EFFECTIVE DATE

8 This act shall take effect on July 1, 2026.