

More Efficient Solar Siting: Updating the “Single Plant” Definition in Statute

H.710 Testimony

Peter Sterling, Renewable Energy Vermont

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Public Utility Commission's Recommendation on Single Plant

In 2025, the Vermont General Assembly passed Act 38 directing the PUC to recommend changes to the definition of “plant” in 30 V.S.A. § 8002(18).

REV supports the language in the PUC’s report to the General Assembly because it:

- Avoids unnecessary costs associated for bringing new, co-located sources of electricity online to serve Vermonters
- Helps preserve open spaces by encouraging solar development on already developed sites
- Helps avoid unnecessary construction, conserving natural resources on the sites that are being developed
- Streamlines the application process for bringing new renewables online, and
- Removes costly legal uncertainty that hinders investment in co-locating renewables



Single Plant Law Limits Development on Good Sites for Solar

Vermont's "single plant" law can prevent solar projects from being built near one another, preventing us from taking maximum advantage of sites that are:

- Already disturbed locations like brownfields
- Already host solar
- Close to existing load
- Located where the distribution infrastructure is robust

Towns have responded to the State's enhanced energy planning requirements and have clustered solar development in their land use planning. Single plant now runs counter to a Town's ability to manage development



Old gravel pit potentially off-limits for solar because of "single plant"

2.3 MW solar array on an old gravel pit

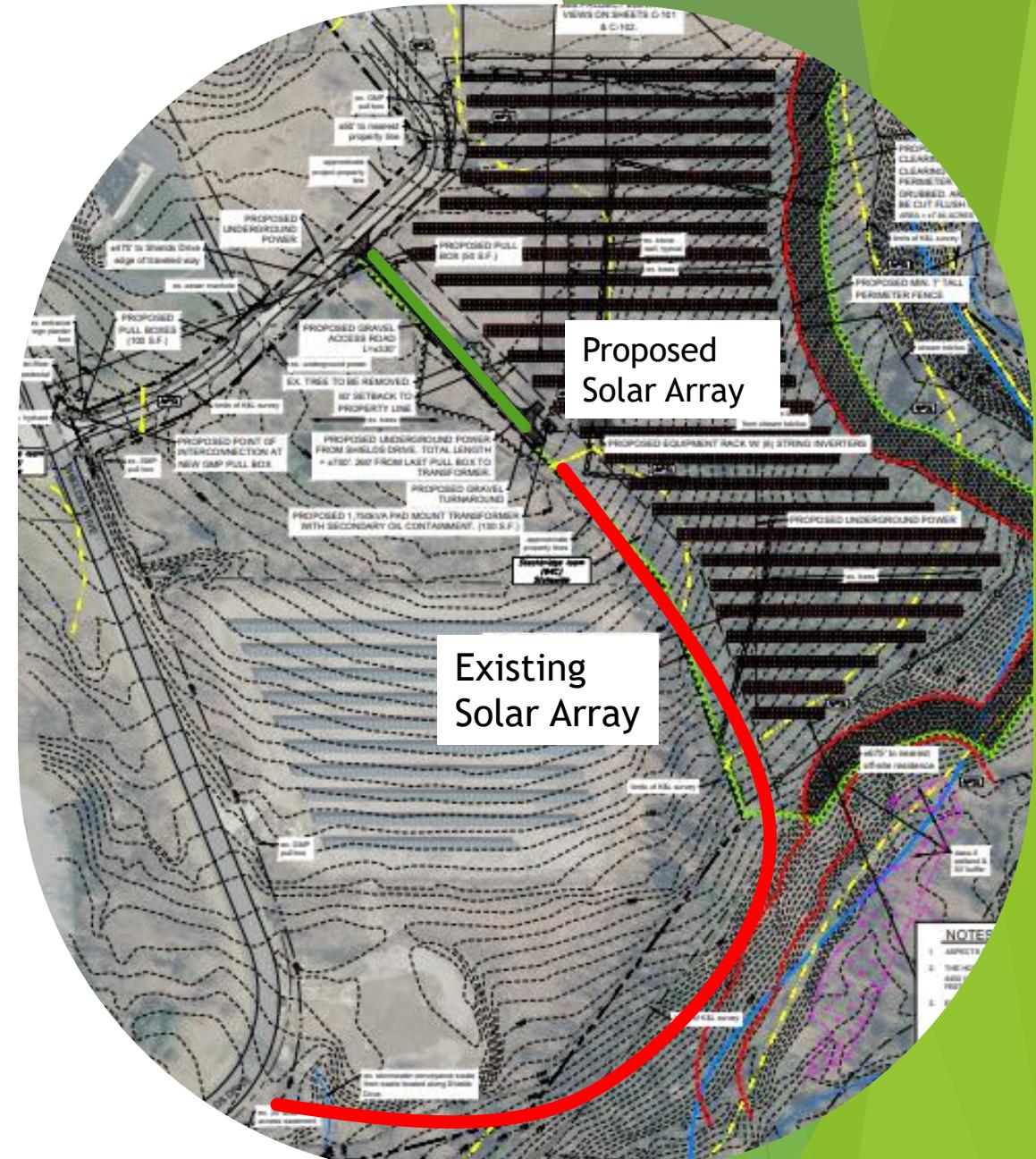
PUC's Recommendation Will Lower Costs and Preserve Open Spaces and Natural Resources

Under the existing single plant definition, MHG had to commit to building a new 1,500' access road rather than extending an existing access road to demonstrate the project did not share common infrastructure with another solar project on the same parcel.

Under the PUC's plan, MHG would be able to revise its plan and build a short, 332' extension to an existing access road, saving over \$50,000.

This change would also reduce the total road surface area on the site by from 16,515 ft².

Similarly, the ability to utilize existing power lines on the site would save \$10,000 for every 100' of new line construction that can be avoided.



1.65MW Furnace Brook solar project in Bennington.
Access road extension (green) eliminates the need for new road (red)

Public Utility Commission's Recommendation for Decommissioning of Solar Projects

PUC's November 12th Letter to the General Assembly

“Section 248(a)(5) of Title 30 of the Vermont Statutes Annotated mandates that electric generation and energy storage facilities be “removed once they are no longer in service,” and directs the Vermont Public Utility Commission (“Commission”) to draft rules to ensure that facilities are removed. Currently, the Commission requires that certificate of public good (“CPG”) holders for generation and storage facilities above a certain size file and regularly update financial instruments, such as letters of credit, escrow agreements, and bonds, with the Commission. These financial assurances are meant to ensure that funding is available to decommission the facility and restore the site once the facility is no longer in service. The administration of the current system of obtaining and maintaining financial assurance instruments requires a substantial amount of administrative work by Commission staff and imposes a lengthy and costly regulatory compliance burden for developers.

Pursuant to Act 38 of 2025, entitled “An act relating to increasing the size of solar net metering projects that qualify for expedited registration,” the Commission opened an investigation into the definition of “plant” and a proposed alternative to the status quo method of providing decommissioning financial assurances. The Commission joined these topics in a single investigation because the interested parties for the definition of “plant” overlap significantly with the interested parties for the decommissioning process.”

