

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Energy and Digital Infrastructure to which was referred
3 Senate Bill No. 50 entitled “An act relating to increasing the size of solar net
4 metering projects that qualify for expedited registration” respectfully reports
5 that it has considered the same and recommends that the House propose to the
6 Senate that the bill be amended as follows:

7 First: By striking out Sec. 3, 24 V.S.A. § 4412, in its entirety and inserting
8 in lieu thereof a new Sec. 3 to read as follows:

9 Sec. 3. 30 V.S.A. § 248(s) is amended to read:

10 (s) This subsection sets minimum setback requirements that shall apply to
11 in-state ground-mounted solar electric generation facilities approved under this
12 section, unless the facility is installed on a canopy constructed on an area
13 primarily used for parking vehicles that is in existence or permitted on the date
14 the application for the facility is filed.

15 (1) The minimum setbacks shall be:

16 (A) From a State or municipal highway, measured from the edge of
17 the traveled way:

18 (i) 100 feet for a facility with a plant capacity exceeding 150 kW;

19 ~~and~~

20 (ii) 40 feet for a facility with a plant capacity less than or equal to

21 150 kW but greater than ~~45~~ 25 kW; and

1 (iii) 10 feet for a facility with a plant capacity less than or equal to
2 25 kW.

3 (B) From each property boundary that is not a State or municipal
4 highway:

5 (i) 50 feet for a facility with a plant capacity exceeding 150 kW;
6 and

7 (ii) 25 feet for a facility with a plant capacity less than or equal to
8 150 kW but greater than ~~45~~ 25 kW; and

9 (iii) 10 feet for a facility with a plant capacity less than or equal to
10 25 kW.

11 ~~(2) This subsection does not require a setback for a facility with a plant~~
12 ~~capacity equal to or less than 15 kW. [Repealed.]~~

13 (3) On review of an application, the Commission may:

14 (A) require a larger setback than this subsection requires;

15 (B) approve an agreement to a smaller setback among the applicant,
16 the municipal legislative body, and each owner of property adjoining the
17 smaller setback; or

18 (C) require a setback for a facility constructed on an area primarily
19 used for parking vehicles, if the application concerns such a facility.

20 * * *

1 Second: In Sec. 4, 30 V.S.A. § 8010, by striking out subdivision (c)(1)(I) in
2 its entirety and inserting in lieu thereof a new subdivision (c)(1)(I) to read as
3 follows:

4 (I) allows a customer to change the customer's decision to retain or
5 transfer the attributes once in the 90-day period after the net-metering system
6 is commissioned.

7 Third: By adding a new section to be Sec. 5 to read as follows:
8 Sec. 5. 30 V.S.A. § 248(a)(7) is amended to read:

9 (7) When a certificate of public good under this section or amendment
10 to such a certificate is issued for an in-state electric generation or energy
11 storage facility with a capacity that is greater than ~~45~~ 25 kilowatts, the
12 certificate holder within 45 days shall record a notice of the certificate or
13 amended certificate, on a form prescribed by the Commission, in the land
14 records of each municipality in which a facility subject to the certificate is
15 located ~~and shall submit proof of this recording to the Commission.~~ The
16 recording under this subsection shall be indexed as though the certificate
17 holder were the grantor of a deed. The prescribed form shall not exceed one
18 page and shall require identification of the land on which the facility is to be
19 located by reference to the conveyance to the current landowner, the number of
20 the certificate, and the name of each person to which the certificate was issued

1 and shall include information on how to contact the Commission to view the
2 certificate and supporting documents.

3 and by renumbering the remaining sections to be numerically correct.

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8 (Committee vote: _____)

9

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Representative _____

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FOR THE COMMITTEE