

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 by striking out all after the enacting clause and
7 inserting in lieu thereof the following:

8 Sec. 1. 30 V.S.A. § 8010 is amended to read:

9 § 8010. SELF-GENERATION AND NET METERING

10 * * *

11 (c) In accordance with this section, the Commission shall adopt and
12 implement rules that govern the installation and operation of net metering
13 systems.

14 (1) The rules shall establish and maintain a net metering program that:

15 * * *

16 (G) accounts for changes over time in the cost of technology; ~~and~~

17 (H) allows a customer to retain ownership of the environmental
18 attributes of energy generated by the customer’s net metering system and of
19 any associated tradeable renewable energy credits or to transfer those attributes
20 and credits to the interconnecting retail provider, and:

1 (i) if the customer retains the attributes, reduces the value of the
2 credit provided under this section for electricity generated by the customer's
3 net metering system by an appropriate amount; and

4 (ii) if the customer transfers the attributes to the interconnecting
5 provider, requires the provider to retain them for application toward
6 compliance with sections 8004 and 8005 of this title; and

7 (I) allows a customer to change the customer's decision to retain or
8 transfer the attributes once in the 120-day period after the net metering system
9 is commissioned.

10 * * *

11 (3) The rules shall establish standards and procedures governing
12 application for and issuance or revocation of a certificate of public good for net
13 metering systems under the provisions of section 248 of this title. In
14 establishing these standards and procedures:

15 * * *

16 (F) This subdivision (F) applies to an application for a net metering
17 system with a capacity that is greater than ~~45~~ 25 kilowatts, unless the system is
18 located on a new or existing structure the primary purpose of which is not the
19 generation of electricity. With respect to such a system, the rules shall not
20 waive or include provisions that are less stringent than each of the following:

1 (i) the requirement of subdivision 248(a)(4)(C) of this title to
2 provide a copy of the application to the Agencies of Agriculture, Food and
3 Markets and of Natural Resources; the Department of Public Service; the
4 Division for Historic Preservation; the municipal legislative body; and the
5 municipal and regional planning commissions; and

6 (ii) the requirements of subsection 248(f) (preapplication
7 submittal) of this title.

8 (G) The rules shall establish an expedited registration procedure for
9 net metering systems of 25 kilowatts and less in size.

10 * * *

11 Sec. 2. RULEMAKING

12 The Public Utility Commission shall update its Rule 5.100 to allow ground
13 mounted photovoltaic net metering systems of 25 kilowatts and less to qualify
14 for expedited registration. It is the intent of the General Assembly that the
15 Commission shall allow systems of 25 kilowatts and less to use the expedited
16 registration before the rules are updated.

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

18 (s) This subsection sets minimum setback requirements that shall apply to
19 in-state ground-mounted solar electric generation facilities approved under this
20 section, unless the facility is installed on a canopy constructed on an area

1 primarily used for parking vehicles that is in existence or permitted on the date
2 the application for the facility is filed.

3 (1) The minimum setbacks shall be:

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

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

7 ~~and~~

8 (ii) 40 feet for a facility with a plant capacity less than or equal to
9 150 kW but greater than ~~15~~ 25 kW; and

10 (iii) 10 feet for a facility with a plant capacity less than or equal to
11 25 kW.

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

14 (i) 50 feet for a facility with a plant capacity exceeding 150 kW;

15 ~~and~~

16 (ii) 25 feet for a facility with a plant capacity less than or equal to
17 150 kW but greater than ~~15~~ 25 kW; and

18 (iii) 10 feet for a facility with a plant capacity less than or equal to
19 25 kW.

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

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

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

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

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

8 (4) In this subsection:

9 (A) “kW” and “plant capacity” ~~shall~~ have the same meaning as in
10 section 8002 of this title.

11 (B) “Setback” means the shortest distance between the nearest
12 portion of a solar panel or support structure for a solar panel, at its point of
13 attachment to the ground, and a property boundary or the edge of a highway’s
14 traveled way.

15 Sec. 4. 30 V.S.A. § 248(a)(7) is amended to read:

16 (7) When a certificate of public good under this section or amendment
17 to such a certificate is issued for an in-state electric generation or energy
18 storage facility with a capacity that is greater than ~~45~~ 25 kilowatts, the
19 certificate holder within 45 days shall record a notice of the certificate or
20 amended certificate, on a form prescribed by the Commission, in the land
21 records of each municipality in which a facility subject to the certificate is

1 ~~located and shall submit proof of this recording to the Commission.~~ The
2 recording under this subsection shall be indexed as though the certificate
3 holder were the grantor of a deed. The prescribed form shall not exceed one
4 page and shall require identification of the land on which the facility is to be
5 located by reference to the conveyance to the current landowner, the number of
6 the certificate, and the name of each person to which the certificate was issued
7 and shall include information on how to contact the Commission to view the
8 certificate and supporting documents.

9 Sec. 5. PUBLIC UTILITY COMMISSION RECOMMENDATION;

10 DEFINITION OF SINGLE PLANT

11 On or before November 1, 2025, and with input from stakeholders, the
12 Public Utility Commission shall submit a recommended amended definition of
13 “plant” in 30 V.S.A. § 8002(18) and an overview of their process and
14 explanation of the recommendation to the House Committee on Energy and
15 Digital Infrastructure and the Senate Committee on Natural Resources and
16 Energy. In making its recommendation, the Commission shall consider:

17 (1) the land use benefits of collocation of energy generation facilities;

18 (2) the ability to ensure comprehensive review of collocated facilities;

19 and

20 (3) the potential impacts to ratepayers associated with collocated

21 facilities.

1 Sec. 6. EFFECTIVE DATE

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

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5

6 (Committee vote: _____)

7

8

Representative _____

9

FOR THE COMMITTEE