

S.50

An act relating to increasing the size of solar net metering projects that  
qualify for expedited registration

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

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

§ 8010. SELF-GENERATION AND NET METERING

\* \* \*

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

\* \* \*

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

\* \* \*

(F) This subdivision (F) applies to an application for a net metering  
system with a capacity that is greater than ~~15~~ 25 kilowatts, unless the system is  
located on a new or existing structure the primary purpose of which is not the  
generation of electricity. With respect to such a system, the rules shall not  
waive or include provisions that are less stringent than each of the following:

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

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

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

\* \* \*

## Sec. 2. RULEMAKING

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

~~Sec. 3. 24 V.S.A. § 4412 is amended to read:~~

~~§ 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS~~

\* \* \*

~~(15) Notwithstanding any contrary provision of sections 2291a and 4413 of this title or 30 V.S.A. chapter 5 or 89, in a municipality that has adopted a~~

~~1 bylaw to establish setback requirements for development, those requirements~~  
~~2 shall apply to a net metering system that is 25 kW or less in size that has been~~  
~~3 registered with the Public Utility Commission as part of expedited review~~  
~~4 under 30 V.S.A. § 248. Setback requirements under this subdivision shall not~~  
~~5 be more restrictive than requirements applied to other development in the~~  
~~6 municipality under this chapter.~~

7 Sec. 3. 30 V.S.A. § 8010 is amended to read:

8 § 8010. SELF-GENERATION AND NET METERING

9 \* \* \*

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

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

14 \* \* \*

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

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

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

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

~~(I) allows a customer to change their decision one time to retain or transfer the attributes of a new or existing system if the system is 25 kW or less in size~~ allows a customer to change the customer's decision to retain or transfer the attributes once in the 90-day period after the net-metering system is commissioned.

\* \* \*

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

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

certificate, and the name of each person to which the certificate was issued and shall include information on how to contact the Commission to view the certificate and supporting documents.

Sec. 6 30 V.S.A. § 248c(d) is amended to read:

(d) Electric and natural gas facilities. This subsection sets fees for registrations and applications under section 248 of this title.

(1) There shall be a fee of \$~~100.00~~200.00 for each electric generation facility less than or equal to 50 kW in plant capacity, or for a rooftop project, or for a hydroelectric project filing a net metering registration, or for an application filed under subsection 248(n) of this title, or for an energy storage facility less than or equal to 1 MW in nameplate capacity that is required to obtain a certificate of public good under section 248 of this title and is proposed to be located inside an existing building and that would not require any ground disturbance work or upgrades to the distribution system.

(2) There shall be a fee of \$~~25.00~~200.00 for modifications for each electric generation facility less than or equal to 50 kW in plant capacity, or for a rooftop project, or for a hydroelectric project filing a net metering registration, or for an application filed under subsection 248(n) of this title, or for an energy storage facility less than or equal to 1 MW in nameplate capacity that is required to obtain a certificate of public good under section 248 of this title and is proposed to be located

1 inside an existing building and that would not require any ground disturbance work

2 or upgrades to the distribution system.

3

4 (3) There shall be a fee for electric generation facilities and energy storage facilities

that are required to obtain a certificate of public good under section 248 of this title

and that do not qualify for the lower fees in subdivisions (1) and (2) of this

subsection, calculated as follows:

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6 (A) ~~\$8.00~~~~5.00~~ per kW; and

7

8 (B) ~~\$400.00~~~~100.00~~ for modifications.

9

10 Sec. ~~56~~. EFFECTIVE DATE

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