

1 S.50

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

4 The House proposes to the Senate to amend the bill by striking out all after
5 the enacting clause and inserting in lieu thereof the following:

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

7 § 8010. SELF-GENERATION AND NET METERING

8 * * *

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

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

13 * * *

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

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

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

4 (I) allows a customer to change the customer’s decision to retain or
5 transfer the attributes once in the 120-day period after the net metering system
6 is commissioned.

(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 ~~45~~ 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:

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1 Division for Historic Preservation; the municipal legislative body; and the
2 municipal and regional planning commissions; and

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

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

7 * * *

8 Sec. 2. RULEMAKING

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

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

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

1 (1) The minimum setbacks shall be:

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

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

5 ~~and~~

6 (ii) 40 feet for a facility with a plant capacity less than or equal to
7 150 kW but greater than ~~45~~ 25 kW; and

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

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

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

13 ~~and~~

14 (ii) 25 feet for a facility with a plant capacity less than or equal to
15 150 kW but greater than ~~45~~ 25 kW; and

16 (iii) 10 feet for a facility with a plant capacity less than or equal to
17 25 kW.

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

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

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

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

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

6 (4) In this subsection:

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

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

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

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

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

7 Sec. 5. PUBLIC UTILITY COMMISSION RECOMMENDATION;

8 DEFINITION OF SINGLE PLANT

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

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

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

17 and

18 (3) the potential impacts to ratepayers associated with collocated
19 facilities.

20 Sec. 6. EFFECTIVE DATE

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