

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

S.50 Testimony

Peter Sterling, Renewable Energy Vermont

Senate Natural Resource & Energy Committee

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Background on Single Plant

30 VSA Sec. 8002 defines a “Plant”:

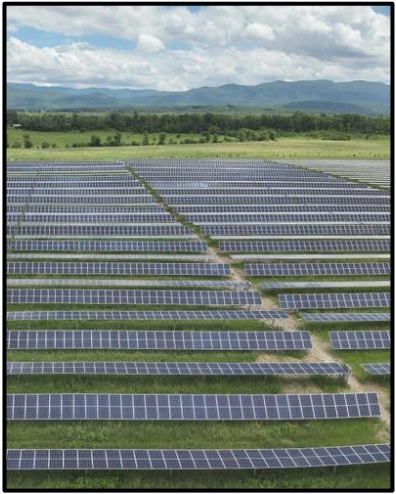
“Plant” means an independent technical facility that generates electricity from renewable energy. A group of facilities, such as wind turbines, shall be considered one plant if the group is part of the same project and **uses common equipment and infrastructure such as roads, control facilities and connections to the electric grid. Common ownership, contiguity in time of construction, and proximity of facilities to each other shall be relevant to determining whether a group of facilities is part of the same project.**

- Single plant language was put into statute in 2009 to ensure that larger solar projects were not artificially partitioned to be eligible for the non-market prices in Standard Offer. Single plant issues are now impacting non Standard Offer projects as well.
- With the end of off-site net metering and the Standard Offer program, the single plant statute adds time, cost and uncertainty to the process of deploying of solar power in Vermont without any other benefits to ratepayers. It’s also a barrier to sound land use management because it prevents municipalities from locating solar in areas they prefer to see it sited.



With Standard Offer and Off Site Net Metering, there was a clear *conceptual* justification for the Single Plant language

Example 1: Standard Offer



A 5MW plant is too big to for Standard Offer

Cost savings from building at this scale accrue to ratepayers

Two Standard Offer 2.2MW arrays built together could potentially receive a higher-than-market price, generating concern about “gaming the system”

Example 2: Off Site Net Metering



500 kW net metered array at 11.5¢/kWh

4.5MW solar array with a PPA at 8.5-10¢/kWh

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"

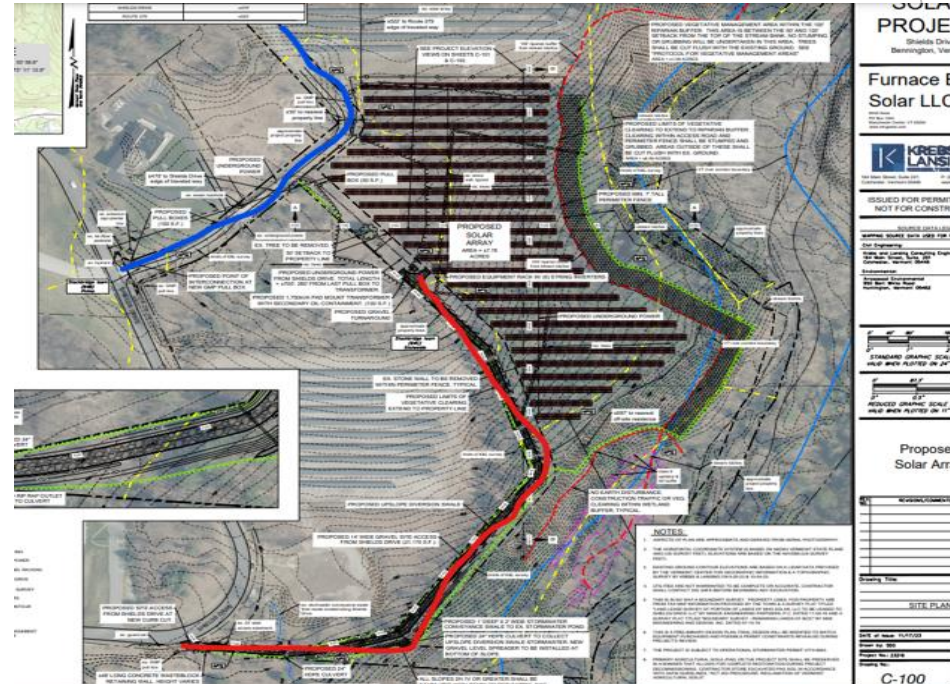
2.3 MW solar array on an old gravel pit

Single Plant Determinations Raise Costs and Increases the Time for Deployment on Good Sites for Solar

1. On a site designated by the Town of Bennington as a “preferred site”, MHG was advised by its lawyers to conclusively demonstrate that their solar project shared no common infrastructure with the 500kW net metering project on the same parcel installed by MHG five years prior.

To ensure they didn’t run into a “single plant” issue, MHG permitted an unneeded 1500 ft long road costing over \$50,000

2. To avoid a potential single plant conflict, a solar developer was advised by their lawyers to replace perfectly good utility poles it had installed only two years earlier on the site for a previous solar array



1.65MW Furnace Brook solar project in Bennington.
New road in red, existing road in blue

S.50 Next Steps: Revised Single Plant Definition from the PUC

S.50 directs the PUC to recommend to SNRE & HEDI by November 1st a new definition of single plant “with input from stakeholders”

- ✓ With the end of off site net metering and the Standard Offer program, there is no longer any justification for the existing Single Plant definition.
- ✓ Updating the single plant statute is also supported by:
 - VPIRG Vermont Conservation Voters
 - CLF Sierra Club
 - VNRC The Nature Conservancy

