

The Renewable Energy Standard 30 V.S.A. chapter 89

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§ 8004. Sales of electric energy; Renewable Energy Standard (RES)

- (a) Establishment; requirements. The RES is established. Under this program, a retail electricity provider shall not sell or otherwise provide or offer to sell or provide electricity in the State of Vermont without ownership of sufficient energy produced by renewable energy plants or sufficient tradeable renewable energy credits from plants whose energy is capable of delivery in New England that reflect the required amounts of renewable energy set forth in section 8005 of this title or without support of energy transformation projects in accordance with that section. A retail electricity provider may meet the required amounts of renewable energy through eligible tradeable renewable energy credits that it owns and retires, eligible renewable energy resources with environmental attributes still attached, or a combination of those credits and resources.
- (b) Rules. The Commission shall adopt rules on this chapter
- (c) RECS; banking.
- (d) Alternative compliance payment. a retail electricity provider in this State may pay to the Vermont Clean Energy Development Fund. The administrator of the Vermont Clean Energy Development Fund shall use the payment from a retail electricity provider electing to make an alternative compliance payment to satisfy its obligations under subdivisions 8005(a)(1), 8005(a)(2), 8005(a)(4), and 8005(a)(5) of this title for the development of renewable energy plants that are intended to serve and benefit customers with low income of the retail electricity provider that has made the payment. Such plants shall be located within the provider's service territory, if feasible.
- (e) For VPPSA members the requirements of this chapter may be met in the aggregate.
- (f) Joint efforts. Retail electricity providers may engage in joint efforts to meet one or more categories within the RES.

§ 8002. Definitions

(21) “Renewable energy” means energy produced using a technology that relies on a resource that is being consumed at a harvest rate at or below its natural regeneration rate.

(A) For purposes of this subdivision (21), methane gas and other flammable gases produced by the decay of sewage treatment plant wastes or landfill wastes and anaerobic digestion of agricultural products, byproducts, or wastes, or of food wastes shall be considered renewable energy resources, but no other form of solid waste, other than silvicultural waste, shall be considered renewable.

(B) For purposes of this subdivision (21), **no form of nuclear fuel shall be considered renewable.**

(C) The only portion of electricity produced by a system of generating resources that shall be considered renewable is that portion generated a technology that qualifies as renewable under this subdivision (21).

(D) The Commission by rule may add technologies or technology categories to the definition of “renewable energy,” provided that technologies using the following fuels shall not be considered renewable energy supplies: coal, oil, propane, and natural gas.

(E) In this chapter, renewable energy refers to either “existing renewable energy” or “new renewable energy.”

(8) “Existing renewable energy” means renewable energy produced by a plant that came into service prior to or on December 31, 2009.

(17) “New renewable energy” means renewable energy capable of delivery in New England and produced by a specific and identifiable plant coming into service on or after January 1, 2010, but **excluding energy generated by a hydroelectric generation plant with a capacity of 200 MW or greater.**

§ 8002. Definitions

(23) “Retail electricity provider” or “provider” means a company engaged in the distribution or sale of electricity directly to the public.

AKA the retail electric utilities- 18

- 1 investor owned- Green Mountain Power
- 2 co-ops- Vermont Electric Co-op and Washington Electric Co-op
- 14 municipal utilities- VPPSA members- Barton Village, Inc., Village of Enosburg Falls Inc., Town of Hardwick Electric Department, Village of Jacksonville, Village of Johnson, Inc., Village of Ludlow Electric Light Department, Lyndon Electric Department, Village of Morrisville Water & Light Department, Town of Northfield Electric Department, Incorporated Village of Orleans, Swanton Village, Inc.
- Also, Stowe Electric Department, Burlington Electric Department, Village of Hyde Park
- 1 who serves a single customer that takes service at 115 kilovolts- GlobalFoundries

§ 8005. RES categories

Tier 1- Total Energy

- Eligibility- any renewable resource that can be delivered into New England, regardless of when constructed
- Required amounts- depends on utility type:
 - In 2025, starts with 63% of each utility's annual load and increasing by at least 4% every 3 years
 - 100% renewable by 2035 for GlobalFoundries and municipal electric providers
 - 100% renewable by 2030 for all others

§ 8005. RES categories

Tier 2- Distributed Generation

- Purpose: support the reliability of the State's electric system; reduce line losses; contribute to avoiding or deferring improvements to that system necessitated by transmission or distribution constraints; and diversify the size and type of resources connected to that system. This category requires the use of renewable energy for these purposes to reduce environmental and health impacts from air emissions that would result from using other forms of generation.
- Eligibility- renewable resources commissioned after January 1, 2010; connected to a distribution or sub transmission line in Vermont; capacity of less than 5 MW
 - Typically net metering, Standard Offer Program, utility PPAs
 - Also hydro owned as of 2024
- Required amounts- depends on utility type- In 2025, starts with 5.8%
 - Increasing 1.5% each year until reaching 20% in 2035 for GF and munis
 - Increasing 2% each year until reaching 20% in 2032 all others
- GF can use extra Tier 4 credits if they can't get enough Tier 2 credits

§ 8005. RES categories

Tier 3- Energy Transformation

- Purpose: support fossil fuel reductions for utility customers
- Eligibility- electrification (vehicles, heat pumps); sawmills; sugaring operations; weatherization; extra Tier 2 credits
- Required amounts- In 2025, starts with 7.33% increasing 0.67% each year until reaching 12% in 2032
 - Except munis <7,000 customers- 6% increasing to 10.67% in 2032



§ 8005. RES categories
Tier 4- New Renewable
Energy

- Purpose: support the reliability of the regional ISO-NE electric system
- Eligibility- any size plants constructed after 2010 capable of delivery in New England
- Required amounts- depends on utility type
 - 100% renewable utilizes (BED, WEC, Swanton) exempt
 - For GMP-(I) 4% beginning on January 1, 2027; 10% 2030; 15% 2032; 20% 2035
 - For the rest- 5% in 2030; 10% in 2035



§ 8005. RES
categories
Tier 5- Load Growth

- After reaching 100% renewable
- The 100% renewable utilizes (BED, WEC, Swanton) shall meet load growth above 2024 baseline with new renewables as follows:
 - 50% 2025;
 - 75% 2026;
 - 90 % 2027;
 - 100 % in 2028 until the provider's annual load exceeds 135% of the provider's 2022 annual load, at which point the provider shall meet its additional load growth with at least 50% new renewable energy until 2035; and
 - 75% on and after January 1, 2035
- For GMP and VPPSA members shall meet load growth above 2035 load with 100% new renewable