

Ryegate proposal

Sec. X. 30 V.S.A. § 8009 is amended to read:

§ 8009. BASELOAD RENEWABLE POWER PORTFOLIO  
REQUIREMENT

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(d) On or before November 1, 2027, the Commission shall determine, for the period beginning on November 1, ~~2026~~ 2027 and ending on November 1, 2032, the price to be paid to a plant used to satisfy the baseload renewable power portfolio requirement. The Commission shall not be required to make this determination as a contested case under 3 V.S.A. chapter 25. The price shall be the avoided cost of the Vermont composite electric utility system. As used in this subsection, the term “avoided cost” means the incremental cost to retail electricity providers of electric energy or capacity, or both, that, but for the purchase from the plant proposed to satisfy the baseload renewable power portfolio requirement, such providers would obtain from a source using the same generation technology as the proposed plant. For the purposes of this subsection, the term “avoided cost” also includes the Commission’s consideration of each of the following:

\* \* \*

(k) Collocation and efficiency requirements.

1           (1) The owner of the plant used to satisfy the baseload renewable power  
2           portfolio requirement shall cause the plant's overall efficiency to be increased  
3           by at least 50 percent relative to the 12-month period preceding July 1, 2022.  
4           In achieving this efficiency, the owner shall comply with the requirements of  
5           this subsection.

6           (2) On or before July 1, 2023, the owner of the plant shall submit to the  
7           Commission and the Department:

8                   (A) A signed contract providing for the construction of a facility at  
9           the plant that utilizes the excess thermal heat generated at the plant for a  
10          beneficial purpose. As used in this subdivision (A), beneficial purpose may  
11          include the displacement of fossil fuel use for the sustainable production of a  
12          product or service or more efficient or less costly generation of electricity.

13                   (B) A certification by a qualified professional engineer that the  
14          construction of the facility shall meet the requirement of subdivision (1) of this  
15          subsection (k).

16          (3) On or before October 1, ~~2025~~ 2026, the owner of the plant shall  
17          submit to the Commission and the Department a certification that the main  
18          components of the facility used to meet the requirement of subdivision (1) of  
19          this subsection have been manufactured and that the construction plans for the  
20          facility have been completed.

1           (4) If the contract and certification required under subdivision (2) of this  
2 subsection are not submitted to the Commission and Department on or before  
3 July 1, 2023 or if the certification required under subdivision (3) is not  
4 submitted to the Commission and Department on or before October 1, ~~2025~~  
5 2026, then the obligation under this section for each Vermont retail electricity  
6 provider to purchase a pro rata share of the baseload renewable power portfolio  
7 requirement shall cease on November 1, ~~2025~~ 2026, and the Commission is not  
8 required to conduct the rate determination provided for in subsection (d) of this  
9 section.

10           (5) On or before September 1, 2026, the Department shall investigate  
11 and submit a recommendation to the Commission on whether the plant has  
12 achieved the requirement of subdivision (1) of this subsection. If the  
13 Department recommends that the plant has not achieved the requirement of  
14 subdivision (1) of this subsection, the obligation under this section shall cease  
15 on November 1, 2026, and the Commission is not required to conduct the rate  
16 determination provided for in subsection (d) of this section.

17           (6) After November 1, 2027, the owner of the plant shall report annually  
18 to the Department and the Department shall verify the overall efficiency of the  
19 plant for the prior 12-month period. If the overall efficiency of the plant falls  
20 below the requirement of subdivision (1) of this subsection, the report shall  
21 include a plan to return the plant to the required efficiency within one year.

(8) The Department may retain research, scientific, or engineering services to assist it in making the recommendation required under subdivision (5) of this subsection and in reviewing the information required under subdivision (6) of this subsection and may allocate the expense incurred or authorized by it to the plant's owner.

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