

Proposed net metering rule pursuant to Act 99 issued by Public Service Board 12/8/15:
Provisions Related to Solar Siting Task Force Ideas Matrix

Planning

- Retains the concept of a cap on the amount of net metering that must be accepted by utilities for systems > 15 kW, but does not recommend as specific number. Utilities may still petition to go above the cap for systems > 15 kW, in which case the Board would review economic, technical, and environmental costs and benefits. [5.107 Electric Company Requirements; relates to SSTF Recommendations #5, 6, and 10]

Incentives

-Financial

- Provides “Siting Incentive Credits” of \$0.02/kWh of **excess generation** from systems that are located on sites whose primary purpose is other than generation (e.g., rooftops), brownfields, landfills, parking lots, and gravel pits. **Excess generation** is defined as *the number of kWh produced by a customer's net metering system in excess of the kWh delivered by the electric company to the customer during a billing period. Excess generation also means the kWh allocated to a member of a net metering group that exceed that group member's individual kWh consumption for that billing period.* [5.102 Definitions, 5.105 Billing Standards and Procedures; relates to SSTF Recommendation #6]
- Provides “Credits for Excess Generation” of \$0.03/kWh of **excess generation** for systems that assign their renewable energy credits (RECs) to the utility. **Excess generation** is defined above. [5.102 Definitions, 5.105 Billing Standards and Procedures; relates to SSTF Recommendation #9]
- Allows utilities to charge fees for interconnection, establishment, special meter reading, accounting, account correction, account maintenance, and the cost of distribution system improvements necessary for safety and reliability. May also require a fixed customer charge to support utility infrastructure and administrative costs associated with net metering, which may or may not be offset with earned bill credits. [5.107 Electric Company Requirements and 5.117 Interconnection Requirements; relates to SSTF Recommendation #11]
-

-Regulatory

- Expands 15 kW “registration” process to systems of up to 150 kW that are located on sites whose primary purpose is other than generation (e.g., rooftops). 10-day process for systems < 100 kW, 30-day process for systems 100-150 kW. [5.102 Definitions, 5.111(C) Certificates of Public Good; relates to SSTF Recommendations #6 and #10]
- Requires meters in “Group Net Metering” systems to be located no more than 10 miles from the net metering system; [5.102 Definitions, 5.106 Group System Requirements; relates to SSTF Recommendation #8]

Process, Transparency, and Public Participation

- For ground-mounted systems 15-150 kW:

- Requires pre-application information session and consultation session with town, including 15-day notice and identifying project location and including sufficient project details. Applicant required to solicit recommendations regarding siting of the system.
- Includes process for submitting comments and requesting hearings (w/in 30 days) and grants hearings when requested by parties.
- For systems 150-500 kW:
 - Requires 45-day advance notice.
 - Requires pre-application information session and consultation, noticed in 45-day notice. Applicant required to solicit recommendations regarding siting of the system.
 - Expands information required to be submitted in petition, including list of adjoiners, certification of notice requirements, wetland delineation (if relevant), utility letter re: interconnection, and response to recommendations of towns and adjoiners.
 - Includes process for submitting comments and requesting hearings (now w/in 30 days) and grants hearings when requested by parties.

[All these provisions in this section are in 5.111 Certificates of Public Good and 5.115 party Status in Net Metering Proceedings, and relate to SSTF Recommendations #12, 13, and 25]

Environment and Aesthetics

- Further refines aesthetic review by applying the Quechee test for all net metering systems as described *In Re Halnon*, 174 Vt. 515 (2002) (mem.), which was required per Act 99 (at least for systems > 150 kW):

Under this test a determination must first be made as to whether a project will have an adverse impact on aesthetics and the scenic and natural beauty of an area because it would not be in harmony with its surroundings. If the answer is in the affirmative the inquiry then advances to the second prong to determine if the adverse impact would be "undue." Under the second prong an adverse impact is undue if any one of three questions is answered in the affirmative: 1) Does the project violate a clear, written community standard intended to preserve the aesthetics or scenic, natural beauty of the area? 2) Does the project offend the sensibilities of the average person? 3) Have the applicants failed to take generally available mitigating steps that a reasonable person would take to improve the harmony of the proposed project with its surroundings? An affirmative answer to any one of the three inquiries under the second prong of the Quechee test means the project would have an undue adverse impact.

- Explicitly defines factors in determining adverse aesthetic impact to include the nature of the project's surroundings, the compatibility of the project's design with those surroundings, the suitability of the project's colors and materials with the immediate environment, the visibility of the project, and the impact of the project on open space.
- Includes a screening requirement for > 99 kW to propose aesthetic mitigation to harmonize the facility with its surroundings. Does not require that screening completely

hide a system.

- Includes setback requirements in Act 56 (100' from road edge and 50' from property boundaries for systems > 150 kW and 40' from road edge and 25' from property boundaries for systems 15-150 kW; can be modified with agreement of town and neighbors).
- Restricts solar lot coverage to: 30% in rural, residential, and agricultural zones, and 75% in industrial and commercial zones (can be modified for good cause).

[All these provisions in this section are in 5.109 Aesthetic Evaluation of Net-Metered Projects and relate to SSTF Recommendations #21-28]

- Enables compliance proceedings in response to a public complaint or on the Board's own motion through filing of affidavits attesting to compliance with CPG terms and conditions and processes for requesting additional information, notice and opportunity for hearing, and option to amend or revoke any CPG under penalty or ordering of remedial activities for cause. [5.115 Compliance Proceedings; relates to SSTF Recommendation #24]
- Requires all systems > 15 kW (other than roof-mounted 15-150 kW) to be decommissioned within one year of ceasing operation. Systems > 150 kW must demonstrate possession of sufficient financial resources to decommission. [5.120 Decommissioning; relates to SSTF Recommendations #23, 24, and 26]
- Creates standard conditions of approval that may only be waived for good cause, including:
 - Consistency with Plans and Evidence
 - Approvals and Permits
 - Existing and Future Statutory Requirements
 - Transfers
 - Waste Disposal
 - Hours of Construction
 - Oil Containment
 - Indiana Bat Habitat
 - Deer Wintering Areas
 - Soil Erosion
 - Streams
 - Wetlands
 - Screening (must be maintained, replaced if dead or dying)

[5.121 Standard Conditions of Approval Applicable to Net Metering Systems; relates to SSTF Recommendations #24 and # 25]