

1 H.133

2 Introduced by Representatives Briglin of Thetford, Scheuermann of Stowe,
3 and Sibia of Dover

4 Referred to Committee on

5 Date:

6 Subject: Public Service; energy; reporting; energy storage

7 Statement of purpose of bill as introduced: This bill proposes to permit the
8 Department of Public Service to consolidate its Title 30 reporting requirements
9 into the Annual Energy Report. This bill also proposes to include
10 consideration and application of energy storage.

11 An act relating to miscellaneous energy subjects

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 30 V.S.A. § 203a is amended to read:

14 § 203a. FUEL EFFICIENCY FUND

15 * * *

16 ~~(c) Report. On or before January 15, 2010, and annually thereafter, the~~
17 ~~Department of Public Service shall report to the General Assembly on the~~
18 ~~expenditure of funds from the Fuel Efficiency Fund to meet the public's needs~~
19 ~~for energy efficiency services. The provisions of 2 V.S.A. § 20(d) (expiration~~

1 ~~of required reports) shall not apply to the report to be made under this~~
2 ~~subsection. [Repealed.]~~

3 * * *

4 Sec. 2. 2012 Acts and Resolves No. 165, Section 2 is amended to read:

5 Sec. 2. MEMORANDUM OF UNDERSTANDING; SMALL
6 HYDROELECTRIC PROJECTS

7 * * *

8 ~~(e) No later than January 15, 2014 and annually by each second January 15~~
9 ~~thereafter, the commissioner shall submit a written report to the general~~
10 ~~assembly detailing the progress of the MOU program, including an~~
11 ~~identification of each hydroelectric project participating in the program. After~~
12 ~~five hydroelectric projects participating in the program are approved and~~
13 ~~commence operation, reports filed under this subsection shall evaluate and~~
14 ~~provide lessons learned from the program, including recommendations, if any,~~
15 ~~on how to improve procedures for obtaining approval of micro hydroelectric~~
16 ~~projects (100 kilowatts capacity or less). The provisions of 2 V.S.A. § 20(d)~~
17 ~~(expiration of required reports) shall not apply to the report to be submitted~~
18 ~~under this subsection. [Repealed.]~~

19 * * *

1 Sec. 3. 30 V.S.A. § 8105 is amended to read:

2 § 8105. ~~REPORTING~~

3 ~~(a) A host community for which a Vermont village green renewable project~~
4 ~~has been certified under this chapter shall file a report to the Commission and~~
5 ~~the Commissioner of Public Service by December 31 of each year following~~
6 ~~certification. The report shall contain such information as is required by the~~
7 ~~Commission and the Commissioner. The report shall include at a minimum~~
8 ~~sufficient information for the Commissioner of Public Service to submit the~~
9 ~~report required by subsection (b) of this section.~~

10 ~~(b) Beginning on March 1, 2010, and annually thereafter, the~~
11 ~~Commissioner of Public Service shall submit a report to the Senate~~
12 ~~Committees on Economic Development, Housing and General Affairs, on~~
13 ~~Finance, and on Natural Resources and Energy, and the House Committees on~~
14 ~~Ways and Means, on Commerce and Economic Development, and on Energy~~
15 ~~and Technology, and the Governor, which shall include an update on progress~~
16 ~~made in the development of the Vermont village green renewable projects~~
17 ~~authorized under this chapter. The report also shall include an analysis of the~~
18 ~~costs and benefits of the projects as well as any recommendations consistent~~
19 ~~with the purposes of this chapter. The provisions of 2 V.S.A. § 20(d)~~
20 ~~(expiration of required reports) shall not apply to the report to be made under~~
21 ~~this subsection. [Repealed.]~~

1 Sec. 4. 30 V.S.A. § 8005b is amended to read:

2 § 8005b. RENEWABLE ENERGY PROGRAMS; REPORTS

3 (a) The Department shall file reports with the General Assembly in
4 accordance with this section.

5 * * *

6 (2) The Department shall ~~file the report under~~ include the components of
7 subsection (b) of this section ~~annually each January 15 in its Annual Energy~~
8 Report required under subsection 202b(e) of this title commencing in 2018
9 2020 through 2033.

10 (3) The Department shall ~~file the report under~~ include the components of
11 subsection (c) of this section ~~biennially each March 1 in its Annual Energy~~
12 Report required under subsection 202b(e) of this title biennially commencing
13 in 2017 2020 through 2033.

14 * * *

15 (c) The biennial report under this section shall include at least each of the
16 following:

17 * * *

18 (2) Commencing with the report to be filed in 2019, each retail
19 electricity provider's required amount of renewable energy during the two
20 preceding ~~calendar~~ years using the most recent available data for each category
21 of the RES as set forth in section 8005 of this title.

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Sec. 5. 30 V.S.A. § 8010 is amended to read:

§ 8010. SELF-GENERATION AND NET METERING

* * *

(d) ~~On or before January 15, 2020 and every third January 15 thereafter~~
Commencing in 2021 and biennially thereafter, the Department shall submit to
the Commission ~~a report that evaluates~~ its evaluation of the current state of net
metering in Vermont, which shall be included within the Department's Annual
Energy Report required under subsection 202b(e) of this title and shall also be
submitted to the Committees listed under subdivision 202b(e)(2) of this title.
~~The Department shall make this report publicly available. The report~~
evaluation shall:

* * *

Sec. 6. 30 V.S.A. § 201 is amended to read:

§ 201. DEFINITIONS

* * *

(c) As used in this chapter, "energy storage" means a system that uses
mechanical, chemical, or thermal processes to store energy for later use.
(d) As used in this chapter, "distributed energy resources" (DER) means a
resource sited close to customers that can provide all or some of their
immediate electric and power needs and can also be used by the system to

1 either reduce demand, such as energy efficiency, or provide supply to satisfy
2 the energy, capacity, or ancillary service needs of the distribution grid. The
3 resources, if providing electricity or thermal energy, are small in scale,
4 connected to the distribution system, and close to load. Examples of types of
5 DER include solar photovoltaic, wind, combined heat and power, energy
6 storage, demand response, electric vehicles, microgrids, and energy efficiency.

7 (e) As used in this chapter, “microgrid” means a group of interconnected
8 loads and distributed energy resources within clearly defined electrical
9 boundaries that acts as a single controllable entity with respect to the grid. A
10 microgrid can connect and disconnect from the grid and enable it to operate in
11 both grid-connected mode or island mode.

12 Sec. 7. 30 V.S.A. § 8002 is amended to read:

13 § 8002. DEFINITIONS

14 As used in this chapter:

15 * * *

16 (18) “Plant” means an independent technical facility that generates
17 electricity from renewable energy or that uses mechanical, chemical, or
18 thermal processes to store such electricity for later use. A group of facilities,
19 such as wind turbines, shall be considered one plant if the group is part of the
20 same project and uses common equipment and infrastructure such as roads,
21 control facilities, and connections to the electric grid. Common ownership,

1 contiguity in time of construction, and proximity of facilities to each other
2 shall be relevant to determining whether a group of facilities is part of the same
3 project.

4 * * *

5 Sec. 8. 30 V.S.A. § 248 is amended to read:

6 § 248. NEW GAS AND ELECTRIC PURCHASES, INVESTMENTS, AND
7 FACILITIES; CERTIFICATE OF PUBLIC GOOD

8 (a)(1) No company, as defined in section 201 of this title, may:

9 * * *

10 (B) invest in an electric generation facility, energy storage facility or
11 aggregated facilities with a capacity of 500 kW or more, or transmission
12 facility located outside this State unless the Public Utility Commission first
13 finds that the same will promote the general good of the State and issues a
14 certificate to that effect.

15 (2) Except for the replacement of existing facilities with equivalent
16 facilities in the usual course of business, ~~and except for~~ electric generation
17 facilities that are operated solely for on-site electricity consumption by the
18 owner of those facilities, energy storage facilities that do not export power to
19 the grid, and ~~for~~ hydroelectric generation facilities subject to licensing
20 jurisdiction under the Federal Power Act, 16 U.S.C. chapter 12, subchapter 1:

1 grantor of a deed. The prescribed form shall not exceed one page and shall
2 require identification of the land on which the facility is to be located by
3 reference to the conveyance to the current landowner, the number of the
4 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. 9. PUBLIC UTILITY COMMISSION ENERGY STORAGE UPDATE

8 The Public Utility Commission (PUC) shall update its decommissioning
9 and aesthetic rules to include energy storage facilities. The PUC, in
10 consultation with the Department of Public Service, shall develop
11 recommendations for how to incorporate energy storage facilities into the Net
12 Metering Rules adopted pursuant to 30 V.S.A. § 8010. The PUC shall report
13 these recommendations to the General Assembly on or before December 31,
14 2019.

15 Sec. 10. EFFECTIVE DATE

16 This act shall take effect on July 1, 2019.