



Vermont's Net-Metering Rule 5.100 and Preferred Sites

Prepared by Vermont
Department of Environmental
Conservation



INTRODUCTION

- Effective July 1, 2017 Vermont Public Utilities Commission (PUC) **Rule 5.100** – The Rule Pertaining to Construction and Operation of Net-Metering Systems.
- PUC is the entity that regulates all utility providers in Vermont.
- The Rule sets specific incentives for net-metering projects on “Preferred Sites”.
- Net-Metering is the process of measuring the difference between the electricity supplied to a customer and the electricity fed back to the utility – taking into account the customer usage.
- Net-Metering systems are capped at 500kW (best incentive for <150kW).

WHAT IS A “PREFERRED SITE”?

According to the Vermont PUC Rule 5.100 the following are defined as Preferred Sites*:

- Land certified by the Secretary of Natural Resources to be a **Brownfield Site** as defined under 10 V.S.A. § 6642.
- A site listed on the National Priorities List (NPL) established under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. chapter 103, if the U.S. Environmental Protection Agency or the Agency of Natural Resources confirms each of the following that the site is listed on the NPL.
- A sanitary landfill as defined in 10 V.S.A. § 6602, provided that the Secretary of Natural Resources certifies that the land constitutes such a landfill and is suitable for the development of the plant.

* This list is a specific subset of preferred sites defined in Rule 5.100 that the Vermont Brownfields Program is authorized to certify on behalf of the Secretary of ANR



Brownfields

- 10 V.S.A 6642 - A “Brownfield Site” means real property, the expansion, redevelopment or reuse of which may be complicated by the release or threatened release of a hazardous material.
- Common Brownfield Sites in Vermont:
 - UST facilities
 - Salvage Yards
 - Town Dumps
 - Active Contaminated Site under management of the VTDEC
 - Historic Manufacturing or Industrial Facilities
 - Potential Impacts from Neighboring Properties

General Comments Brownfields and Preferred Sites

- Developers vs. VTDEC interpretation of how a project “may be complicated”
- Preferred sites are not the clean portion of a site where there is no additional public benefit by redeveloping
- VTDEC used the EPA’s “Anatomy of Brownfields Redevelopment” to establish framework of the program and clarify what is “complicated”
- There is an expectation to investigate REC(s) and implement corrective action strategy

Must
Demonstrate
How the Project
is “Complicated”
With Respect to
Each of the
Following

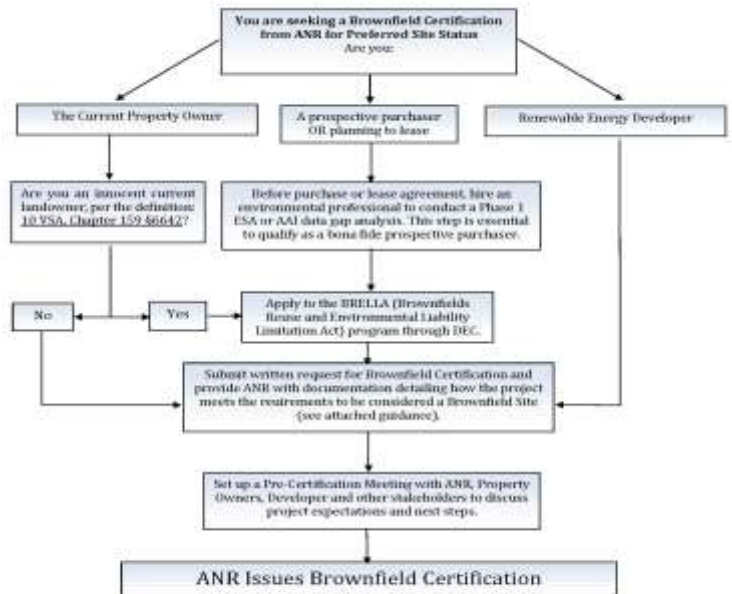


The Secretary
Can Certify a
Brownfield Site
Only if One of
the Following is
Achieved

1. The property is enrolled, will be enrolled, and/or has completed BRELLA.
2. Applicant demonstrates how the project may be complicated by known or perceived contamination (Phase 1).
3. The renewable energy project is part of a larger development project and redevelopment as a whole may be complicated by known or perceived contamination.

THE PROCESS

- Conduct Phase 1 ESA – Identify RECs
- Innocent Current Landowner, Prospective Purchaser or Lessee apply for BRELLA
- Submit BF Certification Request with proper documentation
- Set up Stakeholder Meeting to discuss Agency expectations and next steps
- Agency will issue Certification Letter assuming a clear path toward corrective action is established
- Applicant can request Preferred Site Status with the PUC for their project



Incentivized Rates per kW/hr

Category	2017	2018	2019
Category I (up to 15 kW)	\$0.189	\$0.184	\$0.174
Category II (>15 to 150 kW on preferred site)	\$0.189	\$0.184	\$0.174
Category III (>150 to 500 kW on preferred site)	\$0.169	\$0.154	\$0.144
Category IV (>15 to 150 kW on non-preferred site)	\$0.149	\$0.144	\$0.134

HOW DO I FIND A PREFERRED SITE?

- VT ANR ATLAS (Lists all Brownfields, Hazardous Sites, Landfills, Gravel Pits)
<http://anrmaps.vermont.gov/websites/anra5/>
- Regional Planning Commissions (RPCs)
- Regional Development Corps (RDCs)
- Agency of Commerce Site Locator
- Municipal Officials (First hand knowledge of properties that would be good candidates)