

H.446

An act relating to renewable energy and energy efficiency

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

Sec. 1. DESIGNATION OF ACT

This act shall be referred to as the Vermont Energy Act of 2009.

* * * SPEED Standard Offer * * *

Sec. 2. 30 V.S.A. § 8002 is amended to read:

§8002. DEFINITIONS

For purposes of this chapter:

* * *

(10) 'Board' means the public service board.

(11) 'Commissioned' or 'commissioning' means the first time a plant is put into operation following initial construction or modernization if the costs of modernization are at least 50 percent of the costs that would be required to build a new plant including all buildings and structures technically required for the new plant's operation. However, these terms shall not include activities necessary to establish operational readiness of a plant.

(12) 'Plant' means any independent technical facility that generates electricity from renewable energy. A group of newly constructed facilities, such as wind turbines, shall be considered one plant if the group is part of the

same project and uses common equipment and infrastructure such as roads, control facilities, and connections to the electric grid.

(13) "Plant capacity" means the rated electrical nameplate for a plant.

(14) "Plant owner" means a person who has the right to sell electricity generated by a plant.

(15) "SPEED facilitator" means an entity appointed by the board pursuant to section 8005(b)(1) of this title.

Sec. 3. 30 V.S.A. § 8004 is amended to read:

§8004. RENEWABLE PORTFOLIO STANDARDS FOR SALES OF
ELECTRIC ENERGY

(a) Except as otherwise provided in section 8005 of this title, in order for Vermont retail electricity providers to achieve the goals established in section 8001 of this title, no retail electricity provider shall sell or otherwise provide or offer to sell or provide electricity in the state of Vermont without ownership of sufficient energy produced by renewable resources as described in this chapter, or sufficient tradeable renewable energy credits that reflect the required renewable energy as provided for in subsection (b) of this section. In the case of members of the Vermont Public Power Supply Authority, the requirements of subsection (b) of this section chapter may be met in the aggregate through ~~all requirements contracts pursuant to section 4002a of this title, or in the aggregate otherwise as approved by the board.~~

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

§8005. SUSTAINABLY PRICED ENERGY ENTERPRISE

DEVELOPMENT (SPEED) PROGRAM

* * *

(b) The SPEED program shall be established, by rule, order, or contract, by the public service board by January 1, 2007. As part of the SPEED program, the public service board may, and in the case of subdivisions (1), (2), and (3)(5) of this subsection shall:

(1) ~~name~~ Name one or more entities to become engaged in the purchase and resale of electricity generated within the state by means of qualifying SPEED resources or nonqualifying SPEED resources, and shall implement the standard offer required by subdivision (2) of this subsection through this entity or entities. An entity appointed under this subdivision shall be known as a SPEED facilitator.

(2) ~~allow the developer of a facility that is one megawatt or less, and is a qualifying SPEED resource or a nonqualifying SPEED resource, to sell that power under a long term contract that is established at a specified price determined by the board to be adequate to promote SPEED resource development while remaining consistent with the principles of least-cost energy services under section 218c of this title. For purposes of this section, a~~