

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 21-3883-RULE

Proposed creation of Vermont Public Utility Commission Rule Concerning Energy Storage	
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Order entered: 02/16/2022

PROCEDURAL ORDER REQUESTING REPLY COMMENTS AND SUPPLEMENTAL INFORMATION

This case involves the Commission’s proceeding to develop rules governing the installation and operation of energy storage facilities in Vermont. The Commission requests comments from participants on issues raised in both the initial comments filed by the participants and in the workshops held on January 13 and 20, 2022, in this case. The Commission also seeks comments from stakeholders on the specific issues identified below. The deadline for comments and responses is March 11, 2022.

Topic 1. Simplified Siting

a. Decommissioning Plans

What information should the Commission require for decommissioning plans? Should decommissioning plan requirements vary by project size, footprint of the site and/or other factors? What special considerations should the Commission make for decommissioning of storage systems in particular? Should the Commission include decommissioning requirements in the new storage rule or amend existing Rule 5.900 to expressly apply to storage facilities?

b. Simplified Siting for Storage other than Batteries

30 V.S.A. § 248(u) requires the Commission to “establish a simplified application process for energy storage facilities subject to this section with a capacity of up to 1 MW, unless it establishes a larger threshold by rule.”

30 V.S.A. § 201(4) defines an energy storage facility as “a stationary device or system that captures energy produced at one time, stores that energy for a period of time, and delivers or may deliver that energy as electricity to the grid for use at a future time.”

Given the definition of energy storage facility in 30 V.S.A. § 201(4) and the requirement for a simplified application process in 30 V.S.A. § 248(u), can the Commission limit the type of storage eligible for simplified siting, by rule or otherwise, to battery storage? If not, how can the Commission best address the simplified siting of technologies other than battery storage?

c. Natural Resource Assessments

The Department of Public Service (“Department”) has proposed that natural resources criteria could be conditionally waived for energy storage facilities sited within existing structures. The Agency of Natural Resources (“ANR”) has suggested that a full natural resources report should be submitted with every Certificate of Public Good (“CPG”) petition. Are there any circumstances under which ANR would support the conditional waiver of some natural resources criteria?

d. Fire safety

If the Commission were to adopt the Department’s proposal that most criteria under 30 V.S.A. § 248 be waived for systems sited within existing buildings, would there be a regulatory incentive to develop projects within existing structures? If so, does this pose any broader concerns for public safety due to fire risk and how can the Commission best address those concerns?

e. Small Systems (under 100 kW)

Should the Commission require systems under 100 kW to register with the Commission under a general permit? In the alternative, should small systems simply be required to meet basic requirements (interconnection, fire safety, and decommissioning for example) without registering with the Commission?

Topic 2. Aggregations and interplay between owners, operators, and utilities**f. Ownership and Cumulative Impacts**

To assess the cumulative impact of energy storage systems being added to existing generation, several commenters suggested that the Commission should use an amendment process for the existing CPG at the site. When a proposed energy storage facility installer is not the CPG holder of the generation component of the paired system, should the storage project receive a separate CPG? If so, how should the Commission consider cumulative impacts?

g. Proposed Codes and Standards

Of the standards identified by the Department in their comments of December 16, 2021, (pp. 6-7), which should the Commission adopt? Should the codes and standards that the Commission adopts vary based on size, complexity, use-case, or other factors?

h. 30 V.S.A. § 231 CPG

In its comments of December 16, 2021, the Department suggests that the Commission should consider the following issues (among others) in a review of aggregated resources for a § 231 CPG (emphasis added):

- Provisions to ensure the load impacts of storage are appropriately reviewed by the interconnecting utility and do not negatively impact *ratepayers*;
- Provisions to ensure participation of the resource in the aggregation and the aggregation in the wholesale markets does no harm to the distribution utility or *ratepayers*.

Does FERC Order 2222 limit the Commission's jurisdiction in considering the impact of aggregated resources on ratepayers? Does the Commission have the authority to deny an aggregation CPG based on the impact that the aggregation may have on ratepayers?

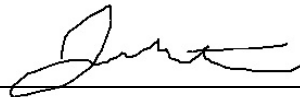
i. Aggregation Amendments

If an already existing aggregation seeks to amend its aggregation, what opportunity does the utility have to assess system stability, system reliability, and transmission effects of the proposed

amendment? How can Commission processes and rules ensure that utilities can review amendments and change existing interconnection agreements (if necessary)?

SO ORDERED.

Dated at Montpelier, Vermont, this 16th day of February, 2022.



Joan White
Hearing Officer

OFFICE OF THE CLERK

Filed: February 16, 2022

Attest: Pamela Linahan
Deputy Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

PUC Case No. 21-3883-RULE - SERVICE LIST

Carolyn M.X. Alderman, Esq. (for VEPP Inc.)
VEPP Inc.
P.O. Box 1938
Manchester Center, VT 05255
carolyn@veppi.org

Carolyn Browne Anderson, Esq. (for Green Mountain
Green Mountain Power Corporation Power Corporation)
2152 Post Road
Rutland, VT 05702
carolyn.anderson@greenmountainpower.com

Melissa Bailey (for Vermont Public
Vermont Public Power Supply Authority Power Supply Authority)
P.O. Box 126
5195 Waterbury-Stowe Road
Waterbury Center, VT 05677
mbailey@vppsa.com

Nils Behn (for Aegis Renewable
Aegis Renewable Energy, Inc. Energy, Inc.)
340 Mad River Park, Suite #6
Waitsfield, VT 05673
nbehn@aegis-re.com

Debra L. Bouffard, Esq. (for Sheehey Furlong &
Sheehey Furlong & Behm Behm)
30 Main Street, 6th Floor
P.O. Box 66
Burlington, VT 05402-0066
dbouffard@sheeheyvt.com

Erin C. Brennan, Esq. (for Vermont
Vermont Department of Public Service Department of Public
112 State Street Service)
Montpelier, VT 05620
Erin.Brennan@vermont.gov

Victoria J. Brown, Esq. (for Vermont Electric
Vermont Electric Cooperative, Inc. Cooperative Inc.)
42 Wescom Road
Johnson, VT 05656
vbrown@vermontelectric.coop

David G. Carpenter
Green Lantern Development, LLC
PO Box 658
Waterbury, VT 05676
davidc@greenlanterndevelopment.com

(for Green Lantern
Development LLC)

Benjamin Civiletti
Department of Public Service
112 State Street
Montpelier, VT 05620
benjamin.civiletti@vermont.gov

(for Vermont
Department of Public
Service)

Jake Clark
Encore Renewable Energy
110 Main Street, Suite 2C
Burlington, VT 05401
jake@encore.eco

(for Encore Renewable
Energy)

Molly Connors
ISO New England, Inc.
One Sullivan Road
Holyoke, MA 01040-2841
Molly.Connors@iso-ne.com

(for ISO New England
Inc.)

Jonathan Dowds
Renewable Energy Vermont
33 Court Street
Montpelier, VT 05602
jonathan@revermont.org

(for Renewable Energy
Vermont)

James Allan Dumont
Law Office of James A. Dumont
dumont@gmavt.net

(for Law Office of James
A. Dumont, Esq. PC)

Donald J. Einhorn, Esq.
Vermont Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05602-3901
donald.einhorn@vermont.gov

(for Vermont Agency of
Natural Resources)

Shawn Enterline
Vermont Public Power Supply Authority
PO Box 126 5195 Waterbury Stowe Road
Waterbury Center, VT 05677
senterline@vppsa.com

(for Vermont Public
Power Supply Authority)

Steven R Farman
Vermont Public Power Supply Authority
5195 Waterbury-Stowe rd
Waterbury Center, VT 05766
sfarman@vppsa.com

(for Vermont Public
Power Supply Authority)

John Guerin
Tangent Energy/TES Bromley Solar 23 LLC
PO Box 1140
Kennett Square, PA 19348
jguerin@tangentenergy.com

(for Tangent Energy
Solutions)

Michael J. Hall
Stackpole & French Law Offices
PO Box 819
Stowe, VT 05672
mhall@stackpolefrench.com

(for Village of Hyde
Park Electric
Department) (for Town
of Stowe Electric
Department)

Bonnie Heiple
Wilmer, Cutler, Pickering, Hale and Dorr, LLP
60 State Street
Boston, MA 02109
Bonnie.Heiple@wilmerhale.com

(for WilmerHale)

Michael Melone, Esq.
Allco Renewable Energy Limited
157 Church Street
19th Floor
New Haven, CT 06510
mjmelone@allcous.com

(for Allco Renewable
Energy Limited)

Eric Phaneuf
Aegis Renewable Energy, Inc.
340 Mad River Park
Suite 6
Waitsfield, VT 05673
ephaneuf@aegis-re.com

(for Aegis Renewable
Energy, Inc.)

William Powell
Washington Electric Cooperative, Inc.
PO Box 8
East Montpelier, VT 05651
bill.powell@wec.coop

(for Washington Electric
Cooperative Inc.)

Craig W Radliff
GlobalFoundries U.S. 2 LLC
1000 River Street
Essex Junction, VT 05452
craig.radliff@gf.com

(for
GLOBALFOUNDRIES
U.S. 2 LLC)

Cameron Reaves
Encore Renewable Energy
110 Main Street
Suite 2C
Burlington, VT 05401
cameron@encorerenewableenergy.com

(for Encore Renewable
Energy)

Carol Robertson
Village of Hyde Park Electric Department
P.O. Box 400
Hyde Park, VT 05655
carol.robertson@hydeparkvt.com

(for Village of Hyde
Park Electric
Department)

S Mark Sciarrotta
Vermont Electric Power Company, Inc.
366 Pinnacle Ridge Road
Rutland, VT 05701
msciarrotta@velco.com

(for Vermont Electric
Power Company, Inc.)

Alison Milbury Stone, Esq.
Vermont Natural Resources Board
10 Baldwin Street
Montpelier, VT 05633-3201
alison.stone@vermont.gov

(for Vermont Natural
Resources Board)

Jesse Stowell
Encore Renewable Energy
110 Main Street
Suite 2E
Burlington, VT 05401
jesse@encorerenewableenergy.com

(for Encore Renewable
Energy)

Elizabeth Tisher, Esq.
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001
elizabeth.tisher@vermont.gov

(for Vermont Agency of
Agriculture, Food and
Markets)

Kyle Wallace
Sunrun, Inc.
225 Bush Street
Suite 1400
San Francisco, CA 94104
kyle.wallace@sunrun.com

(for Sunrun, Inc.)

Victoria M. Westgate, Esq.
Dunkiel Saunders Elliott Raubvogel & Hand, PLLC
91 College Street
P.O. Box 545
Burlington, VT 05402-0545
vwestgate@dunkielsaunders.com

(for Dunkiel Saunders
Elliott Raubvogel &
Hand, PLLC)

Chase Whiting, Esq.
Conservation Law Foundation
CLF 15 East State Street, Suite 4
Montpelier, VT 05602
cwhiting@clf.org

(for Conservation Law
Foundation)

Amber Widmayer
City of Burlington Electric Department
awidmayer@burlingtonelectric.com

(for City of Burlington
Electric Department)

John Ross Woodward, *pro se*
Goodenough LLC
jwoodward@dynorganics.com