

5.100 REGULATIONS PERTAINING TO CONSTRUCTION AND OPERATION OF NET METERING SYSTEMS

5.101 Purpose and Scope

This rule establishes the standards and procedures governing application for, and issuance or revocation of, a certificate of public good for net metering systems under the provisions of 30 V.S.A §§ 219a, 219b and 248. This rule also incorporates the technical specifications related to interconnection requirements and safety standards for net metering systems.

This rule is applicable to all net metered installations in Vermont, and applies to every person, firm, company, corporation and municipality engaged in the construction or operation of any net metering system which is or shall become subject to the jurisdiction of this Commission.

5.102 Definitions

For the purposes of this rule, the following definitions apply:

- (A) "Account" means a unique identifier assigned by the serving electric utility to a customer for billing purposes. A customer account may include one or more meters.
- (B) "Billing Meter" means an electric meter that measures the consumption of electricity by a utility customer.
- (C) "Commission" means the Public Utility Commission of the State of Vermont.
- (D) "Conditional waiver of a criterion of 30 V.S.A. § 248" means that the requirements for the presentation of evidence under the criterion, a specific review of the project by the Commission under the criterion, and the development of specific findings of facts for the criterion by the Commission will be waived, unless any party, or the Commission on its own motion, raises, and the Commission finds that the application raises, a significant issue under the criterion.
- (E) "Customer" means a retail electric consumer.
- (F) "Department" means the Department of Public Service of the State of Vermont.

- (G) "Facility" means a structure or piece of equipment and associated machinery and fixtures that generates electricity. A group of structures or pieces of equipment shall be considered one facility if it uses the same fuel source and infrastructure and is located in close proximity. Common ownership shall be relevant but not sufficient to determine that such a group constitutes a facility.
- (H) "Group net metering" means a group of customers, or a single customer with multiple electric meters, located within the same electric company service territory, where the customer or customers have elected to combine meters in order to offset that billing against a net-metered system.
- (I) "kW" means kilowatt or kilowatts (AC).
- (J) "kWh" means kilowatt hours.
- (K) "Net metering" means measuring the difference between the electricity supplied to a customer and the electricity fed back by a net metering system(s) during the customer's billing period.
- (L) "Net metering system" means a facility, as defined in this subsection, that is no more than 500 kW capacity; operates in parallel with facilities of the electric distribution system; is intended primarily to offset part or all of the customer's or group's own electricity requirements; is located on the customer's or a member of the group's premises; and employs a renewable energy source produced using a technology that relies on a resource that is being consumed at a harvest rate at or below its natural regeneration rate pursuant to 30 V.S.A. § 8002(2); or is a combined heat and power system with a capacity up to 20 kW that meets the definition of a combined heat and power facility under 10 V.S.A. § 6523(b)(2). A net metering customer or group may employ one or more net metering systems.
- (M) "Net Metering Technical Specifications" mean the technical and safety requirements for interconnection of net metering systems with electric companies' distribution systems as attached in Appendix A (Tables 1 through 5). From time

to time, the Commission may, after opportunity for comment, by rule amendment or order, modify or revise the specifications.

- (N) "Peak Demand" means the highest monthly peak reported in either the electric company's FERC form 1, page 401b, column (d); or the electric company's Electric Annual Report to the Vermont Department of Public Service for the Year End, page E-8, column (b).
- (O) "Production Meter" means an electric meter that measures the amount of kWh produced by a net-metered generation source.
- (P) "Net Metering Application Form" means the current Commission application form for net metering systems in effect at the time the form is filed. From time to time the Commission may modify or revise such application form.
- (Q) "Net Metering Registration Form" means the current Commission registration form for net-metered photovoltaic systems in effect at the time the form is filed. From time to time the Commission may modify or revise such registration form.
- (R) "Residential rate" means the kWh rate component of the serving utility's general residential rate schedule that consists of two rate components: a service charge and a kWh rate, excluding time-of-use and demand rates. If a utility's general residential rate schedule includes inclining block rates, the residential rate shall be the highest of those block rates.
- (S) "Technical evidentiary hearing" means a quasi-judicial proceeding, under the Commission's Rules of Practice, where all parties have opportunity to present evidence and to cross-examine witnesses presented by other parties.
- (T) "Time-of-Use Meter" means an electric meter that measures the consumption of electricity at the time it is consumed.

5.103 Rates, Fees and Payments

Net-metered customers shall pay the same rates, fees or other payments and be subject to the same conditions and requirements as all other purchasers from the electric company in the

same rate class, except for appropriate and necessary conditions approved by the Commission for the safety and reliability of the electric distribution system.

5.104 Energy Measurement for Net Metering Systems

- (A) Electric energy measurement for net metering systems shall be calculated in the following manner:
1. The electric company which serves the customer or group shall measure the net electricity produced or consumed during a billing period, in accordance with normal metering practices.
 2. If, at the end of a billing period, the electricity supplied by the electric company exceeds the electricity generated and fed back to the electric distribution system during the billing period, then the customer or group shall be billed for the net electricity supplied by the electric company, net of any credit accumulated in the preceding 12 months, in accordance with normal metering practices.
 3. If, at the end of a billing period, the electricity generated by the customer or group exceeds the electricity supplied by the electric company the electric company shall calculate a monetary credit to the customer pursuant to the billing procedures set forth in Section 5.105.
 4. Any accumulated credits shall be used within 12 months from the month earned or shall revert to the electric company without any compensation to the net metering system customer.
 5. Any net excess generation reverting to the company shall be considered SPEED resources pursuant to 30 V.S.A. § 8005 and Rule 4.300.
 6. For net metering systems using time-of-day, demand or other types of metering, the manner of measurement and the application of bill credits for the electric energy produced or consumed shall be substantially similar to that specified for use with a single non-demand meter.

5.105 Billing Standards and Procedures

- (A) **Customer Billing Requirements:** The bill of a net metering customer should include the dollar amount of any credits for generation carried forward from the previous months, the dollar amount of credits for generation that have expired in the current month, the dollar amount of credits generated in the current month, the dollar amount of credits for generation remaining, the total kWh generated by the generation facility or facilities (if separately metered), the total kWh allocated to a group net metering customer (if applicable), and the credits for solar generation (if applicable).
- (B) **Membership in Multiple Net Metering Groups:** Individual customer accounts may be enrolled in only one group net metering arrangement at one time. Customers with multiple accounts may enroll each of the accounts in separate group net metering arrangements at one time. In addition, groups may, subject to Commission approval, have more than one generation facility attributed to the group, may increase the capacity of existing generation attributed to the group, and may merge separate groups.
- (C) **Demand and Time-of -Use ("TOU") Customer Interconnection Requirements:** In order for a demand or TOU customer to receive credits valued at the utility's residential rate, the customer must, at its own expense, install a separate meter to measure production from the generation source and the generator must be interconnected directly to the utility grid such that the generation does not offset consumption measured by the customer's meter or meters.
- (D) **Billing for Customers with One Billing Meter:** In the case of a customer account with a Billing Meter measuring net consumption, the billing credit calculation is made by multiplying any excess production registered on the meter by the underlying energy rate for that customer and applying that credit to the customer's

bill.

- (E) Billing for Group Systems and Customers with Multiple Billing Meters: In the case of a single customer with multiple Billing Meters or a group of customers where the generation is interconnected to the utility grid such that the generation does not offset consumption of the customer or group, the billing calculation involves allocating the total production associated with the group in the manner prescribed by the group to each group member. Each customer is credited at the underlying energy rate for that customer. In the case of demand or time-of-use customers under this scenario, the calculation is the same except that the customer is credited at the residential rate rather than the demand or TOU energy rate. Under this scenario customers are required to install a Production Meter to measure total generation.

In the case of a single customer with multiple Billing Meters or a group of customers where the generation is physically connected to a Billing Meter such that the generation offsets consumption of the customer or group member(s), the billing calculation involves allocating the net production on the Billing Meter(s) in the manner prescribed by the group to each group member. Each customer is credited at the underlying energy rate for that customer. In the case of demand or time-of-use customers under this scenario, the calculation is the same and the customers are credited at the demand or TOU energy component rate. Under this scenario, installation of a Production Meter is optional.

Customers may allocate kWh credits on a percentage basis to each group member account or they may elect to allocate kWh credits such that the bill of one member or account is first offset, with any additional kWh credits applied to the next group member(s) or account(s) in an order selected by the customer or group.

- (F) Incentives. Bills to net metering customers shall reflect any additional incentives or credits required by 30 V.S.A. § 219a or allowed under a tariff

approved under that statute.

5.106 Group System Requirements

- (A) In addition to any other requirements of 30 V.S.A. §§ 219a and 248 and Commission rules, before a group system may be formed and served by an electric company, the group shall file with the Commission and all other parties required by the application form, the following information:
1. The meters to be included in the group system, which shall be located within the same electric company service territory;
 2. A method for adding and removing meters included in the group system and direction as to the manner in which the electric company shall allocate any credits among the meters included in the system, which allocation subsequently may be changed only on written notice to the company by the person designated under 5.106(A)(3);
 3. A designated person responsible for all communications from the group system to the serving electric company, except for communications related to billing, payment, and disconnection; and
 4. A binding process for the resolution of any disputes within the group system relating to net metering that does not rely on the serving electric company, the Commission, or the Department. This process does not apply to disputes between the electric company and individual group members regarding billing, payment, or disconnection.
- (B) The electric company shall implement appropriate changes to a group system within thirty days after receiving written notification from the person designated under subsection 5.106(A)(3). However, written notification of a change in the person designated under subsection 5.106(A)(3) shall be effective upon receipt by the company. The company shall not be liable for action based on such

notification, but shall make any necessary corrections and bill adjustments to implement revised notifications.

- (C) The electric company shall bill directly and send all communications related to billing, payment, and disconnection directly to each individual group member customer account. The usage charges for any account so billed shall be based on the individual meter for the account.
- (D) If it determines that it would promote the general good, the Commission shall permit a noncontiguous group of net metering customers to comprise a group net metering system. In making its determination, the Commission shall give due consideration to any comments filed regarding the net metering application.

5.107 Electric Company Requirements

- (A) Electric companies:
 1. Shall make net metering available to any customer using a net metering system on a first-come, first-served basis until the cumulative output capacity of net metering systems equals 4.0 percent of the distribution company's peak demand during 1996 or the peak demand during the most recent full calendar year, whichever is greater;
 2. Shall allow net metering systems to be interconnected using a kWh meter capable of registering the flow of electricity in two directions or such other comparably equipped meter that would otherwise be applicable to the customer's usage but for the use of net metering;
 3. May, at their own expense, and with the written consent of the customer, install one or more additional meters to monitor the flow of electricity in each direction;
 4. Shall charge the customer a minimum monthly fee that is the same as other customers of the electric distribution company in the same rate class, but shall not charge the customer any additional standby, capacity, interconnection, or other fee

or charge related to net metering;

5. May charge reasonable fees for interconnection, establishment, special meter reading, accounting, account correcting and account maintenance of group systems and systems greater than 15 kW;

6. May charge a reasonable fee to cover the cost of electric company improvements necessary to distribute power if the capacity of the distribution system is determined by the Commission to be insufficient for the designed generation;

7. May require that all meters included within a group system be read on the same billing cycle;

8. May book and defer, with carrying costs, additional incremental costs, to the extent that such costs are not already recovered directly related to implementing group systems and systems greater than 15 kW in capacity.

(B) All such requirements shall be pursuant to and governed by a tariff approved by the Commission and any applicable Commission rule or order, which tariffs shall be designed in a manner likely to facilitate net metering.

(C) Notwithstanding the provisions of section 5.104, an electric company may contract to purchase all or a portion of the output products from a group net metering system, provided:

1. The system obtains a certificate of public good pursuant to section 5.110.

2. Any contracted power shall be subject to the limitations set forth in subsection 5.107(A)1.

3. Any contract shall be subject to interconnection and metering requirements in subsection 5.107(A) and section 5.111.

4. Any contract may permit all or a portion of the tradeable renewable energy credits for which the system is eligible to be transferred to the electric company.

5.108 Conditional Waiver of 30 V.S.A § 248(b) Criteria

Pursuant to 30 V.S.A. § 219a(c)(2)(a), which provides that the Commission may waive the requirements of 30 V.S.A. § 248(b) that are not applicable to net metering systems, the Commission conditionally waives the following criteria:

- (A) For net metering systems which are installed on or in an existing structure or new home or business, all criteria under 30 V.S.A. § 248(b), with the exception of 30 V.S.A. § 248(b)(3) (stability and reliability).
- (B) For wind turbines and other systems which are installed on, as, or within a new structure which is not a home or business:
 - 1. All criteria under 30 V.S.A. § 248(b), with the exception of 30 V.S.A. §§ 248(b)(1)(orderly development), (3)(stability and reliability), (5)(environmental considerations), and (8)(outstanding resource waters).
 - 2. With respect to 30 V.S.A. § 248(b)(5), all criteria and subcriteria, except for compliance with 10 V.S.A. §§ 6086(a)1(A)(headwaters), 1(B)(waste disposal), 1(D)(floodways), 1(E)(streams), 1(F)(shorelines), 1(G)(wetlands), 4(soil erosion), 5(traffic; impacts during construction only), 8(aesthetics, historic sites, natural areas), 8(A)(necessary wildlife habitat), and (9)(K) (public facilities). If the system uses biomass as a fuel, compliance shall also be required with 10 V.S.A. § 6086(a)(1)(air pollution).

5.109 Aesthetic Evaluation of Net-Metered Projects

- (A) The Commission has adopted the Vermont Environmental Board's Quechee analysis for guidance in assessing the aesthetic impacts of net-metered projects, including wind turbines. In determining whether a project raises a significant issue with respect to aesthetic criteria contained in 30 V.S.A. § 248(b)(5), the Commission is guided by the two-part test outlined below:
 - 1. First a determination must be made as to whether a project will have an adverse impact on aesthetics and the scenic and natural beauty. In order to find that it will have an adverse impact, a project must be out of character with its

surroundings. Specific factors used in making this evaluation 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.

2. The next step in the two-part test, once a conclusion as to the adverse effect of the project has been reached, is to determine whether the adverse effect of the project is "undue." The adverse effect is considered undue when a positive finding is reached regarding any one of the following factors:

- a. Does the project violate a clear, written community standard intended to preserve the aesthetics or scenic beauty of the area?
- b. Have the applicants failed to take generally available mitigating steps which a reasonable person would take to improve the harmony of the project with its surroundings?
- c. Does the project offend the sensibilities of the average person? Is it offensive or shocking because it is out of character with its surroundings or significantly diminishes the scenic qualities of the area?

3. Analysis of whether a particular project will have an "undue" adverse effect on aesthetics and scenic or natural beauty is also significantly informed by the overall societal benefits of the project.

- (B) With respect to the Commission's review of an application for a single wind turbine under 150 feet in height, there shall be a rebuttable presumption that the wind turbine does not have an undue adverse aesthetic impact.

5.110 Certificates of Public Good

- (A) Applications for photovoltaic systems of 10 kW or less in capacity:
A application for a certificate of public good under this subsection shall use the Commission's Net Metering Registration Form in lieu of the Commission's Net

Metering Application Form.

1. Service. Upon filing the Net Metering Registration Form with the Commission, in accordance with the current filing procedures prescribed by the Commission, the applicant must also submit a copy of the form to the serving electric company and the Vermont Department of Public Service. The applicant shall ensure that the form is complete and includes all required information.
2. Completed Forms. Upon receiving a Net Metering Registration Form, Commission staff will review the Registration Form for completeness. If the form is incomplete, the Clerk of the Commission will inform the applicant of the deficiencies, and the applicant will be required to resubmit a complete form.
3. Submission of Comments. If the interconnecting electric company believes that the interconnection of a system raises concerns, the company must file a letter detailing those concerns with the customer and the Commission within ten days of receiving a complete Net Metering Registration Form. The letter must also provide a recommendation as to how the interconnection issues can be resolved by the applicant. The company must also send an electronic copy of the letter to the installer of the system indicated on the registration form. If an objection to the interconnection has been timely filed by the interconnecting electric company, the applicant shall not commence construction of the project until the interconnection issues have been resolved. If no letter raising interconnection issues is timely filed with the Commission by the interconnecting utility, a CPG shall be deemed issued by the Commission on the eleventh day following the filing of the Net Metering Registration Form, without further proceedings, findings of fact, or conclusions of law, and the applicant may commence construction of the system. The computation of the number of days following the filing of a complete Net Metering Registration Form does not include weekends, state legal holidays under 1 V.S.A. § 371(a), and federal legal holidays under 5 U.S.C. § 6103(a).

(B) Applications for systems that are either non-photovoltaic systems of up to 150 kW in capacity, or photovoltaic systems of greater than 10 kW and up to 150 kW in capacity:

1. Form and Content. An application for a certificate of public good under this subsection shall be filed with the Commission in accordance with the filing procedures

and Net Metering Application Form prescribed by the Commission and shall contain all of the information required by the instructions to that form.

2. Service of Applications. The applicant shall provide copies of the completed Net Metering Application Form to the persons and organizations as indicated in the application form's instructions.

3. Submission of Comments and Requests for Hearing. If any person wishes to submit comments to the Commission concerning an application filed pursuant to this subsection, file a motion to intervene, or request a technical evidentiary hearing, such correspondence is due at the Commission within the time prescribed in the application form instructions. If a person requests a technical evidentiary hearing, the person must make a showing that the application raises a significant issue regarding one or more of the applicable criteria listed in Section 5.108. Such a showing must go beyond general or speculative claims, and provide specific information regarding potential impacts for the criteria or the criteria conditionally waived in that section.

4. Hearings. In cases where the Commission determines that a system raises a significant issue with respect to one or more of the substantive criteria applicable to the system, the Commission may determine to hear evidence on the issue. In any decision resulting from such a hearing, the Commission need only issue findings and conclusions on the criteria concerning which it determined to hold a hearing.

5. Approval. In cases where there are no objections or requests for hearing and the Commission determines that the application does not raise a significant issue, the Commission will issue a certificate of public good following the review period as specified in the application form.

(C) Applications for systems of greater than 150 kW in capacity:

Applications for systems greater than 150 kW in capacity shall be filed in accordance with the following requirements;

Notice Requirements; The applicant must provide written notice, at least 45 days in advance of filing a § 219a application, to the following entities:

- (a) legislative bodies and municipal and regional planning commissions in the communities where the project will be located;
- (b) the Secretary of the Agency of Natural Resources;
- (c) the Commissioner of the Department of Public Service and its Director for Public Advocacy;
- (d) the landowners of record of property adjoining the project sites;
- (e) the Public Utility Commission;
- (f) and the serving electric company.

The notice shall state that the applicant intends to make a § 219a application, identify the location of the facility site(s), and provide a description of the proposed project(s). In addition, the notice must contain sufficient detail about the proposed project(s) to allow the parties receiving the notice to understand the impact of the project(s) on the interests of those parties. The notice shall provide contact information and state that recipients may file inquiries or comments with the applicant with respect to the project and that recipients will also have the opportunity to file comments with the Commission once the application is filed. If the applicant has not filed an application for the project, pursuant to the filing requirements below, within 180 days of the date of the advance notice, the notice

will be considered withdrawn.

If the applicant makes a substantial change to the proposed project, the applicant is required to provide at least 45-days notice of this change to all parties and entities already notified, including any newly affected adjoining property owners. For the purpose of this subsection, a substantial change is one that has the potential for significant impact with respect to any of the criteria applicable to the project.

Filing Requirements; Upon filing the application with the Commission, the applicant must also submit a copy of the application to the municipal planning commission(s) and regional planning commission(s) in the community or communities where the project is located, the Agency of Natural Resources, the Department of Public Service, and the serving electric company. The applicant shall also provide notice to the legislative bodies of the town(s) where the project(s) will be located and the landowners of record of property adjoining the project site(s) that the application has been filed with the Commission.

The applicant shall ensure that the application filed includes testimony or exhibits fully addressing each of the areas listed below. Any witness sponsoring an exhibit or testimony must file a notarized affidavit stating that the information provided is accurate to the best of their knowledge and have personal knowledge of and be able to testify as to the validity of the information contained in the exhibit or testimony. The applicant shall file proposed findings of fact and a proposed certificate of public good with the application.

Applicant Name. The application shall include the name, contact information and a description of the company or person making the application.

Host landowners. The application shall include the names and addresses of the landowners on whose property the proposed facilities would be built.

Adjoining Landowners. The application shall include the names and addresses of

all adjoining property owners. This information shall be obtained from the most recent version of the town's grand list.

Certification that Notice Requirements Have Been Met. The applicant must certify that it has complied with the advance notice requirements listed above.

Project Description

1. Site Plans. The applicant must provide a site plan for each project. A site plan shall include:

- (a) Proposed facility locations and any incidental project features.
- (b) Approximate property boundaries and setback distances from those boundaries to the nearest corners of each of the related structure, approximate distances of any nearby residences, and dimensions of all proposed improvements.
- (c) Proposed utilities, including approximate distance from source of power, sizes of service available and required, and approximate locations of any proposed utility or communication lines.
- (d) A description of any areas where vegetation is to be cleared or altered and a description of any proposed direct or indirect alterations or impacts to wetlands and other natural resources protected under 30 V.S.A. § 248(b)(5), including the limits of earth disturbance and the total acreage disturbed.
- (e) Detailed plans for any drainage of surface and/or sub-surface water and plans to control erosion and sedimentation both during construction and as a permanent measure.
- (f) Locations and specific descriptions of proposed screening, landscaping, ground cover, fencing, exterior lighting, and signs.
- (g) Plans of any proposed access driveway, roadway, or parking area at the facility site, including grading, drainage and traveled width, including

a cross section of the access drive indicating the width, depth of gravel, paving, or surface materials.

(h) The latitude and longitude coordinates for each proposed project.

2. Elevation Drawings

(a) For each proposed structure, the applicant must provide elevation drawings.

(b) The elevation drawings must be at appropriate scales but no smaller than 1"/20'.

(c) The applicant must include two elevation drawings of the proposed structures drawn at right angles to each other, showing the ground profile to at least 100 feet beyond the edge of any proposed clearing, and showing any guy wires or supports. The elevation drawing shall show height of the structure above grade at the base, and describe the proposed finish of the structure.

(d) The elevation drawing shall indicate the relative height of the facility to the tops of surrounding trees as they presently exist.

(e) Each plan sheet shall be clearly labeled with the project title, date, revision date(s), scale, and name of the person or firm that prepared the plan.

Environmental Criteria. The applicant must address each of the applicable criteria set forth in Section 5.108. To the extent that the proposal will create an adverse impact affecting any of these criteria, the applicant should describe what measures, if any, will be taken to minimize such impact.

Local and Regional Plans. The applicant shall provide copies of the relevant sections of the Town Plans and Regional Plans in effect in the communities in which the proposed facilities will be located and describe how the project meets

or complies with the land conservation measures in those plans.

Completed Applications. Upon receiving an application under this subsection, Commission staff will review the application for completeness. If the application does not substantially comply with the application requirements set forth herein, the Clerk of the Commission will inform the applicant of the deficiencies. Upon submission of all information necessary to address the deficiencies, the Clerk of the Commission shall notify the applicant that the filing is complete.

Submission of Comments and Requests for Hearing. If any person or other entity wishes to submit comments to the Commission concerning an application filed pursuant to this subsection, file a motion to intervene, or request a hearing, such correspondence is due at the Commission within 21 calendar days of the date that the application was submitted to the Commission and all required parties.

Anyone requesting a hearing must make a showing that the application raises a significant issue regarding one or more of the criteria listed in Section 5.108 or the criteria conditionally waived in that section. Such a showing must go beyond general or speculative claims, and provide specific information regarding potential impacts for the criteria.

(D) Termination:

1. Transfer of Certificates. A certificate of public good for a net metering system is automatically transferred when the property with a net metering system is sold or otherwise conveyed. The new owner may commence net metering provided that the new owner: (1) agrees to operate and maintain the net metering system according to the terms and conditions of the certificate of public good and in compliance with this Rule 5.100 and; (2) files the Commission-approved transfer form with the Commission and the electric company. The Commission will provide a simplified transfer form for this purpose.

2. Revocation. The Commission may, after notice and opportunity for hearing,

revoke any certificate of public good for a net metering system for the following causes:

- a. the certificate was based on false or misleading information supplied by the applicant;
- b. the system was not installed, or is not being operated, in accordance with the National Electric Code or applicable interconnection standards;
- c. the holder of the certificate has failed to comply with the conditions of approval, representations made in the application, or this rule; or
- d. other good cause exists for revocation.

5.111 Interconnection Requirements

Net metering facilities of 150 kW or less in capacity shall be installed and operated in accordance with Appendix A, the Net Metering Technical Specifications (Tables 1 through 5). Net metering systems greater than 150 kW in capacity, shall follow the interconnection procedures contained in Commission Rule 5.500.

5.112 Disconnection of a Net-Metered System

- (A) The following procedures shall govern disconnection of a net-metered system from the electrical system. These procedures apply to net metering customers only and do not supplant Commission Rules 3.300 and 3.400 relating to company disconnection in general.
- (B) Customers that initiate a permanent disconnection of their net metering systems must notify their respective electric company, and the electric company must notify the Commission and the Department of the disconnection.
- (C) In the event an electric company needs to perform an emergency disconnection of a net metering system, when continued interconnection of the system is likely to result in significant disruption of service or is likely to endanger life or property,

the electric company must notify the customer within 24 hours after the disconnection. For the purpose of this section, the term emergency shall mean a situation in which continued interconnection of the net metering system is imminently likely to result in significant disruption of service or endanger life or property.

1. If the emergency is not caused by the net metering system, the company shall reconnect the net metering system upon cessation of the emergency.

2. If the emergency is caused by the net metering system, the company must communicate the nature of the problem to the customer within 5 days, and attempt to resolve the problem. If the problem has not been resolved within 30 days of an emergency disconnection, the electric company shall file a disconnection petition with the Commission.

(D) Non-emergency disconnections shall follow the same procedure as emergency disconnections outlined above, except that the electric company will give written notice of the disconnection no earlier than 10 days and no later than 3 working days prior to the first date on which disconnection of the net metering system may occur. Such notice shall communicate the reason for disconnection to the customer and the expected duration of the disconnection. An electric company may obtain, at the discretion of the customer, a net metering customer's written agreement to notice requirements for non-emergency disconnections which are different from those set forth in this Rule, provided that the electric company first advises the customer of his or her rights under this rule and informs the customer that he or she may contact the Consumer Affairs and Public Information Division of the Vermont Department of Public Service. For group systems, such agreement may be obtained from the person designated under section 5.105(B).

(E) Customers who are involuntarily disconnected may file a complaint with the Commission at any time following disconnection. Within 30 days of the date the

complaint is filed, the Commission may hold a hearing to investigate the complaint. In the event of the filing of such a complaint, the electric company shall carry the burden of proof to demonstrate the reasonableness of disconnection.

5.113 Electric Company Tracking of Net-Metered Systems

All electric companies with net-metered customers shall maintain current records of the cumulative amount of net metered generation within their respective service territories, pursuant to 30 V.S.A. § 219a. Electric companies shall also keep current records regarding the number and size of net-metered systems and disconnections of net-metered systems in their service areas.

5.114 Abandonment of a Certificate of Public Good

Non-use of a certificate of public good for a period of one year following the date on which the certificate is issued shall constitute an abandonment of the net metering system and the certificate of public good shall be considered revoked. For the purpose of this section, for a certificate to be considered used the net metering system must be installed within one year of the issuance of the certificate of public good, unless installation is delayed by litigation or unless, at the time of issuance or in a subsequent proceeding, the Commission provides that installation may be completed at a later time.