

**PSB Review of Recommendations from:  
Solar Siting Task Force Report, dated January 22, 2016 (“Solar Siting”); and Siting Electric Generation in VT, dated April 2013 (“Siting Electric”)  
Presented by: June Tierney, PSB General Counsel**

#	Recommendation	Source	PSB Steps Taken	Legislative Action Required
<b>Early communication between developers and others</b>				
1	Encourage pre-application consultations.	Solar Siting (p. 15)		No.
2	Require more public engagement for larger projects, for example: <ul style="list-style-type: none"> <li>• public engagement by applicants with municipalities, RPCs, adjoining property owners.</li> <li>• public hearings in at least one affected municipality.</li> <li>• provision of “public engagement plan” (PEP) in advance of public notice.</li> </ul>	Siting Electric (pp. 51-52)		No.
<b>Notice requirements</b>				
3	When relevant, ensure that Division for Historic Preservation (“DHP”) receives notice.	Solar Siting (p. 17)	The 2016 order implementing the new net-metering program provides advance notice to DHP for all projects >15 kW that are not located on a rooftop.	No.
4	Require notice to adjacent towns of systems >15 kW.	Solar Siting (p. 19)	Host towns currently receive notice. Adjacent towns do not receive notice, except that pursuant to Board Rule 5.400, municipal planning commissions, municipal governments, and regional planning commissions within 10 miles of a proposed Sec. 248 wind project do receive notice.	No.
5	Establish early “trigger point” for applicants to notify public of a project (e.g., once meetings begin with state agencies).	Siting Electric (p. 50)		No.

#	Recommendation	Source	PSB Steps Taken	Legislative Action Required
6	Provide earlier notification to public of larger project applications.	Siting Electric (pp. 48-50)		Statute requires 45 days' advance notice. Board may require more notice but not less.
<b>Party status for government agencies</b>				
7	Make regional planning commissions parties by right in the S. 248 process.	Solar Siting (p. 11)	Statute gives RPCs the right to be a party; however, they must choose to exercise that right.	Achieved through Act 174.
8	Make Agency of Agriculture, Food & Markets ("AAFM") a "party by right."	Solar Siting (p. 17)	Statute now provides that AAFM is a party in siting cases for generation projects that exceed 500 kW and are located on a tract that contains primary agricultural soils.	Achieved through Act 174.
<b>Process assistance to developers and the public</b>				
9	Hire personnel to provide guidance on all aspects of siting application process to all parties and to create customer assistance roles at the PSB.	Siting Electric (p. 53); Solar Siting (p. 16)		Yes to create new position.
10	Develop forms and templates.	Solar Siting (p. 16)	Forms and templates are being developed. The 2016 order implementing the new net-metering program incorporates this expectation.	No.
11	Develop plain-language guide to Quechee analysis.	Solar Siting (pp. 19-20)	The 2016 order implementing the new net-metering program includes plain language description of Quechee analysis.	No.
12	Create pathways for mediation of concerns with projects. <ul style="list-style-type: none"> <li>• Create an early off-ramp for mediation of concerns.</li> <li>• Create a mediation process for contested cases.</li> </ul>	Solar Siting (pp. 15-16)	PSB can currently require mediation. This is being discussed by the Board.	No.

#	Recommendation	Source	PSB Steps Taken	Legislative Action Required
<b>Easier access to more information</b>				
13	Require identification of all visible infrastructure, any primary agricultural soils, and all other project impacts.	Solar Siting (p. 19)	The 2016 order implementing the new net-metering program requires identification of visible infrastructure, primary agricultural soils, and other impacts for net-metering projects greater than 50 kW that are not located on a rooftop.	Achieved through Act 174 for projects greater than 50 kW that are not located on a rooftop.
14	Design and implement on-line case management/docketing system.	Siting Electric (p. 54)	Phase 1 of ePSB, including net-metering and other siting cases, is expected to go live in November. Phase 2 of ePSB, all remaining case types, is expected to go live in second quarter 2017.	No additional legislative action needed.
<b>Other changes to processes and timeframes for reviewing cases</b>				
15	Employ simplified procedures to review smaller projects and projects that are community-led or supported.	Siting Electric (pp. 48-50)	The 2016 order implementing the new net-metering program includes simplified procedures. The Board has also issued an order implementing simplified procedures for renewable projects 2.2 MW or less pursuant to Sec. 8007(b).	Statute currently distinguishes between net-metering projects, other renewable projects that are 2.2 MW or less, and larger projects.
16	Establish overall performance standards for timeframes of PSB decisions by the size of the project.	Siting Electric (p. 55)	Performance standards for siting cases have been determined. ePSB will allow performance indicators to be measured.	No.