

Applicant Checklist for Net-Metering CPG Application Greater Than 50 kW

<p>Instructions</p> <p>You may submit this document with your application to facilitate the review of your filing. Please indicate in the right column where in your application materials the relevant information is contained. For example, Testimony of Jane Doe at page 2 or Exhibit JD-5 at page 3.</p>	
<p>General Information</p>	
<p>5.107(C)(1) Applicant name.</p> <p>Legal name (and the “doing business as” name, if different), contact information, Vermont business registration number (if applicable), and a description of the company or person making the application. For example: XYZ Corporation (d/b/a ABC Solar) Headquarters at 123 Maple Lane, Anytown, VT 05600 Service Agent: Jane Doe, Esq. VT Business ID#: 12345</p>	<p>Application at 1</p>
<p>5.107(C)(2) Host landowner and Act 250#.</p> <ul style="list-style-type: none"> Name and address of the legal owner of the land upon which the proposed net-metering system would be built. The number of any Act 250 Land Use Permit applicable to the host parcel. 	<p>Application at 1</p> <p>n/a</p>
<p>5.107(C)(3) Adjoining landowners. Names and addresses of all adjoining landowners from the most recent version of the town’s grand list.</p>	<p>Rule 5.107(E) Certification</p>
<p>5.107(C)(4) Advance Notice. Certification that advance notice requirements have been met for the application type.</p> <ul style="list-style-type: none"> Check abutters list versus the site plan, which should identify adjacent parcels. 	<p>Rule 5.107(B) Certification; Staskus pft. Section 3</p>
<p>Is the Project on a preferred site? Check one:</p> <p>If the Project is on a preferred site, please indicate which type¹:</p> <p><input type="checkbox"/> BUILDING <input type="checkbox"/> PARKING LOT <input type="checkbox"/> LANDFILL <input type="checkbox"/> DEVELOPED TRACT</p> <p><input type="checkbox"/> BROWNFIELD <input type="checkbox"/> GRAVEL PIT <input checked="" type="checkbox"/> MUNICIPAL PLAN SITE <input type="checkbox"/> NPL SITE</p> <p><input checked="" type="checkbox"/> JOINT LETTER OF SUPPORT SITE</p> <p><input type="checkbox"/> >50% OF OUTPUT ALLOCATED TO HOST CUSTOMER OR ADJACENT PROPERTY</p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Staskus pft. Section 4; exh. MS-5</p>
<p>5.107(C)(5) Site plans</p> <p>Plans should be formatted so that they display all required information clearly.</p>	
<p>5.107(C)(5)(a) Proposed facility location and any project features.</p>	<p>Exh. MS-2</p>

¹ The qualifying criteria for “preferred sites” are set forth in Commission rule 5.103. Systems with a capacity of greater than 150 kW must be on a preferred site.

Applicant Checklist for Net-Metering CPG Application Greater Than 50 kW

5.107(C)(5)(b) Property boundaries and setback distances from those boundaries to the corner of the nearest project-related structure, distances to any nearby residences, and dimensions of all proposed improvements.		
112	ft to nearest road;	27
		ft to nearest property boundary
5.107(C)(5)(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.		Exh. MS-2; Staskus pft. Section 2
5.107(C)(5)(d) A description of any areas where vegetation is to be cleared or altered, including the limits of disturbance and the total acreage.		Exh. MS-2; Staskus pft. Section 2
A description of any proposed direct or indirect alterations to or impacts on wetlands or other natural resources protected under 30 V.S.A. § 248(b)(5), including the limits of disturbance and the total acreage of any disturbed area.		Exh. MS-2; Exh. DB-2
5.107(C)(5)(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.		Exh. MS-2; Staskus pft. Section 13
5.107(C)(5)(f) Locations and specific descriptions of <input type="checkbox"/> proposed screening, <input type="checkbox"/> landscaping, <input checked="" type="checkbox"/> groundcover, <input checked="" type="checkbox"/> fencing, <input type="checkbox"/> exterior lighting, and <input type="checkbox"/> signs. If such features are not proposed, mark "n/a."		Exh. MS-2; Staskus pft. Section 2 (note unchecked boxes are n/a)
5.107(C)(5)(g) Plans of any proposed access driveway, roadway, or parking area at the project site, including grading, drainage, and traveled width. A cross-section of the access drive indicating the width, depth of gravel, paving, or surface materials.		Exh. MS-2
5.107(C)(5)(h) The latitude and longitude coordinates for the proposed project.		Exh. MS-2, Application at 1
5.107(C)(5)(i) The presence and total acreage of primary agricultural soils to be physically disturbed in connection with the construction and operation of the net-metering system, the amount of those soils to be disturbed, and any other proposed impacts to those soils.		Exh. MS-2; Staskus pft Section 16
5.107(C)(5)(j) The approved site plan from any Act 250 Land Use Permit applicable to the host parcel.		n/a
5.107(C)(6) Elevation drawings		
5.107(C)(6)(a) Elevation drawings for each proposed structure.		Exh. MS-3
5.107(C)(6)(b) The elevation drawings must be to appropriate scales but no smaller than 1"/20'.		Exh. MS-3
5.107(C)(6)(c) 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 must show height of the structure above grade at the base, and describe the proposed finish of the structure.		Exh. MS-3
5.107(C)(6)(d) The elevation drawing must indicate the relative height of the facility to the tops of surrounding trees as they presently exist.		Exh. MS-3

Applicant Checklist for Net-Metering CPG Application Greater Than 50 kW

<p>5.107(C)(6)(e) Each plan sheet must be clearly labeled with the project title, date, revision date(s), scale, and name of the person or firm that prepared the plan.</p>	<p>Exh. MS-3</p>
<p>Rule 5.107(C)(7) Testimony and exhibits containing sufficient facts to support a positive finding by the Commission under each of the applicable Section 248 criteria</p>	
<p>248(b)(1) Orderly Development</p> <ul style="list-style-type: none"> • Must state whether project will comply with any applicable land conservation measures contained in a town or regional plan • Must respond to any comments from municipal legislative and planning bodies, as well as regional planning body. • Provide relevant excerpts of town and regional plans. • Must address compliance with municipal screening by-laws or state that there are no such bylaws. 	<p>MDK-2 at 13-14</p>
<p>248(b)(2) Need</p> <ul style="list-style-type: none"> • Only if customer retains ownership of RECs, otherwise this criterion is conditionally waived • If applicable, the applicant must describe why the project is required to meet the need for present and future demand for electric service that could not otherwise be provided in a more cost-effective manner through energy conservation programs and measures and energy-efficiency and load management measures. 	<p>n/a</p>
<p>248(b)(3) System Stability; 5.107(C)(10)</p> <ul style="list-style-type: none"> • If larger than 150 kW, need letter from Utility stating interconnection possible • If less than or equal to 150 kW, then no information required (this application is the interconnection application) 	<p>Staskus pft Section 5; Exh. MS-6</p>
<p>248(b)(5) Aesthetics, Historic Sites, Air and Water Purity. Natural environment, Use of Natural Resources, Public Health and Safety</p> <ul style="list-style-type: none"> • Testimony and exhibits should address each of the criteria listed below 	<p>Kane, Staskus and Barton testimonies and exhibits</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(1)(A) Headwaters <ul style="list-style-type: none"> ○ Testimony should state whether project is in headwaters area. Headwaters include any of the following <ul style="list-style-type: none"> ▪ headwaters of watersheds characterized by steep slopes and shallow soils; or ▪ drainage areas of 20 square miles or less; or ▪ above 1,500 feet elevation; or ▪ watersheds of public water supplies designated by the Agency of Natural Resources; or ▪ areas supplying significant amounts of recharge waters to aquifers. ○ If project is in headwaters area, then testimony must address compliance with any applicable Health and Environmental Conservation Department regulation regarding reduction of the quality of the ground or surface waters. Testimony should clearly identify which regulations are applicable and state why the project will comply with such regulations. 	<p>Exhibit DB-2 at Section IV</p>

Applicant Checklist for Net-Metering CPG Application Greater Than 50 kW

<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(1)(B) Waste Disposal <ul style="list-style-type: none"> ○ Testimony must state whether waste will be disposed of in accordance with applicable DEC regulations. Testimony should identify all sources of waste. 	<p>Staskus pft Section 10</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(1)(C) Water Conservation <ul style="list-style-type: none"> ○ Testimony must state whether the design has considered water conservation, incorporates multiple use or recycling where technically and economically practical, utilizes the best available technology for such applications, and provides for continued efficient operation of these systems. 	<p>Staskus pft Section 11</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(1)(D) Floodways <ul style="list-style-type: none"> ○ Testimony must state whether the Project will be in a floodway or floodway fringe. ○ If Project is in floodway, then applicant must demonstrate that the Project will not restrict or divert the flow of flood waters, and endanger the health, safety and welfare of the public or of riparian owners during flooding. ○ If the Project is in a floodway fringe the applicant must demonstrate that the Project will not significantly increase the peak discharge of the river or stream within or downstream from the area of development and endanger the health, safety, or welfare of the public or riparian owners during flooding. 	<p>Exh. DB-2 at Section V</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(1)(E) Streams <ul style="list-style-type: none"> ○ Applicant must identify all streams on or near the Project site. ○ If the Project is on or adjacent to the banks of a stream, the Applicant must demonstrate that the Project will, whenever feasible, maintain the natural condition of the stream, and will not endanger the health, safety, or welfare of the public or of adjoining landowners. 	<p>Exh. DB-2 at Section VI</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(1)(F) Shorelines <ul style="list-style-type: none"> ○ Applicant must state whether Project is located on or near a shoreline. ○ If Project is located on a shoreline, then Applicant must demonstrate that it is necessary for project to be located on or near shoreline; and that the Project will: <ul style="list-style-type: none"> ▪ retain the shoreline and the waters in their natural condition; ▪ allow continued access to the waters and the recreational opportunities provided by the waters; ▪ retain or provide vegetation which will screen the development or subdivision from the waters; and ▪ stabilize the bank from erosion, as necessary, with vegetation cover. 	<p>Exh. DB-2 at Section VII</p>

Applicant Checklist for Net-Metering CPG Application Greater Than 50 kW

<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(1)(G) Wetlands <ul style="list-style-type: none"> ○ Applicant must address whether the Project will be located in or near any significant wetlands or their buffers. ○ Testimony must describe how the Project will comply with the Vermont wetland rules. ○ Provide a wetland delineation or letter from qualified consultant stating that no delineation is necessary. 	<p>Exh. DB-2 at Section VIII</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(2) Sufficiency of Water <ul style="list-style-type: none"> ○ Applicant must demonstrate that there is water available for the reasonably foreseeable needs of the project. 	<p>Staskus pft Section 12</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(3) Burden on Existing Water Supply <ul style="list-style-type: none"> ○ Applicant must demonstrate that the Project will not be an unreasonable burden on an existing water supply, if one is to be utilized. 	<p>Staskus pft Section 12</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(4) Soil erosion or reduction in the capacity of land to hold water <ul style="list-style-type: none"> ○ Applicant must demonstrate why the Project will not result in unreasonable soil erosion or reduce in the capacity of the land to hold water so that a dangerous or unhealthy condition may result. ○ Testimony should address whether construction and operation stormwater regulations are applicable and, if so, how the Project will comply with such regulations. 	<p>Staskus pft Section 13; Exh. MS-2</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(5) Transportation <ul style="list-style-type: none"> ○ Applicant must demonstrate that the Project will not cause unreasonable congestion or unsafe conditions with respect to use of the highways, waterways, railways, airports and airways, and other means of transportation existing or proposed. 	<p>Staskus pft. Section 14</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(6) Educational Services <ul style="list-style-type: none"> ○ Applicant must demonstrate that the Project not cause an unreasonable burden on the ability of a municipality to provide educational services. 	<p>Staskus pft. Section 15</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(7) Municipal Services <ul style="list-style-type: none"> ○ Applicant must demonstrate that the Project Will not place an unreasonable burden on the ability of the local governments to provide municipal or governmental services. 	<p>Staskus off. Section 15</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(8) Aesthetics <ul style="list-style-type: none"> ○ Applicant must demonstrate that the Project will not have an undue adverse effect on the scenic or natural beauty of the area and aesthetics. ○ Testimony should address the <i>Quechee Analysis</i>, as set forth in Commission Rule 5.111. 	<p>Exh. MDK-2 at 3-13</p>

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<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(8) Historic Sites <ul style="list-style-type: none"> ○ Applicant must demonstrate that the Project will not have an undue adverse effect on historic sites. ○ Testimony must describe effect of the Project on historic structures or historic districts. ○ Testimony must describe the effect of the Project on archeological resources. Either provide a statement from DHP saying no issues or testimony from consultant that has performed phase I site assessment. 	<p>Staskus pft. Section 6; MDK-2 at 14</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(8) Necessary Wildlife Habitat and Endangered Species <ul style="list-style-type: none"> ○ Applicant must demonstrate that the Project will not destroy or significantly imperil necessary wildlife habitat or any endangered species ○ Testimony from qualified witness stating whether any necessary wildlife habitat present at Project site and whether any endangered species present at Project site. 	<p>Exh. DB-2 at Section X</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(8)(A) Rare and Irreplaceable Areas <ul style="list-style-type: none"> ○ Testimony from qualified witness addressing presence and effect on RINAs. 	<p>Exh. DB-2 at Section IX</p>
<ul style="list-style-type: none"> • 10 V.S.A. § 6086(a)(9)(K) Development affecting public investments. <ul style="list-style-type: none"> ○ Applicant must demonstrate that the Project will not unnecessarily or unreasonably endanger or interfere with public investments (public roads, public buildings, public lands, etc.) 	<p>Staskus pft Section 17</p>
<ul style="list-style-type: none"> • 248(b)(5) Public Health and Safety <ul style="list-style-type: none"> ○ Testimony addressing effect of project on public safety. Glare can be an issue if near roads or airport. 	<p>Staskus pft Section 8</p>
<p>248(b)(7) Outstanding Resource Waters</p> <ul style="list-style-type: none"> • Testimony regarding the presence of outstanding resource waters. 	<p>Exh. DB-2 at Section VI</p>
<p>248(s) Setbacks</p> <ul style="list-style-type: none"> • Testimony describing how project complies with minimum setback requirements . 	<p>Staskus pft Section 9</p>
<p>Other Filing Requirements</p>	
<p>5.107(C)(7) Draft Order and CPG.</p> <ul style="list-style-type: none"> • Draft order should address all applicable criteria • An example of a draft order may be found online in ePUC, the document management system of the Vermont Public Utility Commission. 	<p>Draft Proposal for Decision & CPG</p>
<p>5.107(C)(7) Notarized affidavits. All testimony and exhibits must be supported by an affidavit from each witness.</p>	<p><small>Affidavits for Staskus, Barton and Kane included; notary w</small></p>
<p>5.107(C)(8) Local and regional plans. Copies of the relevant sections of any town plan and regional plan in effect in the community in which the proposed facility will be located.</p>	<p>Appendices to Exh. MDK-2</p>

Applicant Checklist for Net-Metering CPG Application Greater Than 50 kW

<p>5.107(C)(9) Wetland delineation. The applicant must provide either a wetland delineation prepared by a qualified professional or a letter from the district wetland ecologist stating that no delineation is necessary because the net-metering system will not be proximate to any significant wetlands.</p>	<p>Exh. MS-2; Exh. DB-2 at Section VIII</p>
<p>5.107(C)(10) Interconnection. A letter from the electric company stating that the proposed net-metering system may be safely interconnected with the company’s distribution grid without having an impact on system stability or reliability. The letter must describe all improvements to the grid necessary to interconnect the net-metering system.</p>	<p>Exh. MS-6; Section 5 of Staskus pft</p>
<p>5.107(C)(11) Response to recommendations of municipalities and adjoining landowners. A document summarizing the comments and recommendations received in response to the 45-day notice. The document must respond to the issues raised in those comments and recommendations and must state what steps the applicant has taken to address those issues or why the applicant is unable to do so.</p>	<p>Staskus pft Section 3</p>
<p>5.107(C)(12) Decommissioning plan. All applications for net-metering systems with capacities greater than 150 kW must include a decommissioning plan that provides for the removal and safe disposal of project components. All applications for net-metering systems with capacities greater than 150 kW must include a plan for the restoration of any primary agricultural soils, if such soils are present within the net-metering system’s limits of disturbance.</p>	<p>N/A</p>
<p>5.107(C)(13) Statement of consistency with Act 250 Land Use Permit. If the host parcel is subject to an Act 250 Land Use Permit, the applicant must file a document describing whether the construction of the proposed net-metering system will interfere with the satisfaction of any condition contained in the Act 250 Land Use Permit. If the construction will interfere with the satisfaction of any Act 250 Land Use Permit condition, the applicant must explain what steps it will take to address such issues or why the applicant is unable to do so.</p>	<p>N/A</p>
<p>30 V.S.A. § 248b Copy of Agency of Natural Resources Fee Form Applicants seeking a CPG for a ground-mounted system with a capacity of more than 50 kW must pay a fee to the Agency of Natural Resources. Applicants should include a copy of the fee form with their application. Do not send payment to the Commission; payment should be directed to the Agency of Natural Resources.</p>	<p>ANR Fee Form</p>
<p>30 V.S.A. § 248c Copy of Department/Commission Fee Form² The applicant must attach a copy of the completed Application Fee Form that was submitted to the Department of Public Service. Send the original of the Fee Form and the fee payment to the Department of Public Service. Do not send the fee payment to the Commission. The Fee Form is available on the Department of Public Service website. If you have questions about the Fee Form, please contact the Department of Public Service’s Administrative Services Division at (802) 828-2811 or (800)-734-8390, or via email at psd@vermont.gov.</p>	<p>DPS Fee Form</p>

² For applications submitted after 11:59 P.M. on June 29, 2019.