

Attachment 2 – 1998 Draft Proposed Rule 4.600

PUC Rule 4.600

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Effective:

Section 1. General Order 51, and all subsequent clarifying letters issued by the Public Utility Commission, are hereby rescinded.

Section 2. Public Utility Commission Rule 4.600 is adopted to read as follows:

4.600 INTERPRETATION OF 30 V.S.A. § 248 REGARDING ELECTRIC TRANSMISSION AND DISTRIBUTION LINES

4.601 Purpose

The purpose of this rule is to clarify the distinction between electric distribution lines and electric transmission lines pursuant to 30 V.S.A. § 248. The rule establishes a test to be used to determine whether the construction or reconstruction of an electric distribution or transmission line will be subject to the jurisdiction of 30 V.S.A. § 248 or 10 V.S.A. § 6001 (Act 250). A determination that a facility constitutes a distribution or transmission line under this rule does not represent a finding with respect to Order No. 888, FERC Stats. & Regs. 31,036, as to the status of the facility.

4.602 Definitions

(A) Electric Transmission Facility

An “electric transmission facility” within the meaning of 30 V.S.A. § 248 is a line and/or related facilities (including any substation), the primary purpose of which is the transporting of electric power at any voltage in bulk from a source or sources of supply (1) to other parts of the transmission system, (2) to a distribution system, and/or (3) that primarily serves a single, large customer. Any line and/or related facility that is capable of operating at greater than 34.5 kV is a transmission line.

(B) Electric Distribution Facility

A “distribution line or facility” is a line and/or related facilities (including pad or pole mounted transformers), the primary purpose of which is the delivery of power, other than bulk power, to individual customers at any voltage not to exceed 34.5 kV; this definition does not include any line and/or facilities at any voltage if such lines and/or facilities function as an electric transmission facility.

4.603 Jurisdiction

(A) Public Utility Commission

Electric transmission facilities, as defined in Section 4.602(A), are under the jurisdiction of the Public Utility Commission as provided by 30 V.S.A. § 248(a)(2).

(B) Environmental Board and District Environmental Commission

Review and approval of the construction of distribution lines or facilities, as defined in

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Section 4.602(B), are under the jurisdiction of the Environmental Board and District Environmental Commissions to the extent provided by 10 V.S.A. § 6001 *et. seq.*