

### **Attachment 3 – 2003 Draft Proposed Rule 4.600**

Section 1. General Order 51, and all subsequent clarifying letters and orders issued by the Public Utility Commission, are hereby rescinded.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 § 248 REGARDING THE DEFINITION OF ELECTRIC TRANSMISSION FACILITIES**

##### **4.601 Purpose**

The purpose of this rule is to define the class of "electric transmission facilities" falling within 30 V.S.A. § 248, and therefore requiring review by the Public Utility Commission prior to site preparation or construction. The rule establishes a test to be used to determine whether a construction or reconstruction project involves a transmission facility within the jurisdiction of the Public Utility Commission. Electric facilities that are not "transmission facilities" as defined herein may be subject to review under other Vermont laws, such as 10 V.S.A. § 6001 (Act 250). A determination that a facility is or is not a transmission facility under this rule does not represent a finding for any other purpose, including with respect to Order No. 888, FERC Stats. & Regs. 31,036.

##### **4.602 Definitions**

For purposes of 30 V.S.A. § 248, a facility (including but not limited to an electric line) is an electric transmission facility if it is any one of the following:

- (A) a facility, other than an electric generator, capable of operating at 40 kV or above;
- (B) a substation, including facilities located therein at any voltage, except as provided for in subdivision 4.603 of this rule; or
- (C) a facility, other than an electric generator, capable of operating at 30 kV or above that normally delivers power to a substation or a transmission line.

##### **4.603 Exceptions**

- (A) Stepdown transformers are not substations for the purposes of this rule. A "stepdown transformer" means a transformer, along with associated fuses and sectionalizing switches, that (1) is (a) pole mounted, (b) platform mounted, or (c) pad mounted with the transformer and all associated equipment completely enclosed in one or more cabinets, and (2) connects two or more facilities neither of which are transmission facilities.

- (B) A single-customer transformer is not a substation for purposes of this rule. A "single-customer transformer" means a transformer and associated facilities serving only one customer that (1) has a capacity of no more than 2 MVA or (2) is (a) pole mounted, (b) platform mounted, or (c) pad mounted with the transformer and all associated equipment completely enclosed in one or more cabinets.