

Attachment 4 – 2006 Draft Rule 4.600

Section 1. General Order 51, and all subsequent clarifying letters and orders issued by the Public Utility Commission, are hereby rescinded, as of the effective date of this rule.

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, including amendments thereto.

4.602 Definitions

- (A) 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:
- (1) a facility, other than an electric generator, constructed to be capable of operating at a nominal voltage greater than 34.5 kV line-to-line (19.9 kV line-to-ground);
 - (2) a facility, other than an electric generator, constructed to be capable of operating at a nominal voltage equal to or less than 34.5 kV line-to-line (19.9 kV line-to-ground) if its primary purpose is to deliver electric power:
 - (a) to a substation;
 - (b) from a generation unit (excluding generators subject to the Commission’s net metering rule, Rule 5.100) to a point of interconnection with a utility’s electric system; or
 - (c) to or from a line that is, itself, a transmission line, except as provided below in subdivision 4.602(E) of this rule;
 - (3) a substation, including facilities located therein at any voltage, except as provided below in subdivisions 4.602(B), (C), and (D) of this rule.
- (B) “Substation” does not include stepdown or single-customer transformers, as defined below in subdivisions 4.602(C) and (D) of this rule.
- (C) “Stepdown transformer” means a transformer, along with associated fuses and

sectionalizing switches, that:

- (1) connects two or more facilities, neither of which is a transmission facility, and
 - (2) is either:
 - (a) pole mounted,
 - (b) platform mounted, or
 - (c) pad mounted with the transformer and all associated electrical equipment completely enclosed in one or more cabinets.
- (D) “Single-customer transformer” means one or more transformers and associated facilities:
- (1) serving only one customer, and
 - (2) has a capacity of no more than 5 MVA.
- (E) A transmission line is not a distribution line that:
- (1) existed as a distribution line prior to the interconnection of a generation facility or transmission line, and
 - (2) will continue to be operated as a distribution line after such interconnection.