
August 17, 2023

Holly Anderson, Clerk
Vermont Public Utility Commission
112 State Street, 4th Floor
Montpelier, VT 05602

Re: Case 19-0855-Rule
Proposed revisions to Vermont Public Utility Commission Rule 5.100

Dear Ms. Anderson:

AllEarth Renewables, Inc. (“AER”) submits these comments in accordance with the schedule established by the Commission in its Memorandum of June 26, 2023. AER reaffirms its prior comments offered in this proceeding, most specifically those filed on May 27, 2022, June 24, 2022 and January 13, 2023, and offers the additional comments set forth below with respect to the proposed change to Rule 5.109(D), which in its proposed form would trigger the application of current siting and REC adjustors to an entire project when an amendment increases capacity “by more than 5% or 10kw, whichever is greater.”

As noted in AER’s January 13, 2023 comments, penalizing an existing component of a project is likely to discourage realization of the efficient land use and other benefits inherent in the expansion of existing net metering systems. At the August 10, 2023 Public Hearing in this matter, Renewable Energy Vermont (“REV”) proposed that a single weighted average rate could be applied to the existing and expanded system. As noted by REV, this approach appears to be consistent with that advocated by the Department of Public Service, and is not a complicated mathematical exercise.¹

AER submits that a blend of the Commission’s approach and that put forth by REV offers the most pragmatic way to address the expansion rate question. An expansion falling within the greater of 5% or 10kW does not realistically warrant the administrative effort required of project owners, the Department and the Commission to calculate a specific project rate, as the Commission’s proposed amendment to Rule 5.109(D) implicitly recognizes. A reasonable balance can be struck by applying the REV weighted rate approach only to amendments that increase project size above that level, at which point a project specific calculation can be made.

¹ Transcript of August 10, 2023 at 10-12 (comments of Jonathan Dowds).

Thank you for the Commission's consideration of these comments.

AllEarth Renewables, Inc.

By: /s/ **David Mullett**

David Mullett, General Counsel

AllEarth Renewables, Inc.

94 Harvest Lane, Suite 100

Williston, VT 05495

802-872-9600

dmullett@allearthrenewables.com

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