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Holly R. Anderson, Clerk  
Vermont Public Utility Commission  
112 State Street  
Montpelier, VT 05620-2701

October 7, 2025

Re: 21-3883-RULE Comments on Draft Rule 9.900

Dear Ms. Anderson,

Vermont Electric Power Company (VELCO) submits these comments on the Vermont Public Utility Commission's proposed Rule 9.900, which was posted by the Secretary of State on September 17, 2025.

VELCO appreciates the Commission's inclusion of substation and radio tower sites in the streamlined process outlined in Section 9.302, consistent with VELCO's comments dated July 10, 2024 in Case No. 21-3883-RULE. VELCO now respectfully requests that the Commission clarify that earth disturbance and vegetation clearing are permitted within the existing developed footprint of these sites.

VELCO also asks that the Commission consider allowing *de minimis* earth disturbance and vegetation clearing outside of the existing developed footprint, such as limited trenching for conduit installation to interconnect the project to a distribution line.

These minor changes are intended to ensure that applicants can avail themselves of the streamlined process the Commission has proposed for sites with existing development, while still minimizing impacts on resources from earth disturbance and vegetation clearing. They reflect the reality that some limited activity may be needed in and adjacent to the existing developed footprint.

These proposals could be effectuated by modifying the current Section 9.302, or by creating a new section that applies to battery storage facilities proposed at an existing utility site.<sup>1</sup> In the latter approach, applications for these facilities would still follow the streamlined processes and requirements in Section 9.302. VELCO offers the following proposed language for the Commission's consideration:

**9.30X Applications for Battery Energy Storage Facilities with a Nameplate Rating equal to or greater than 100 kW and up to 5 MW to be Installed at an Existing Utility Structure, Substation Yard, or Radio Tower Site with Limited Earth Disturbance and**

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<sup>1</sup> Section 9.302 as currently drafted applies to battery storage facilities at other "proposed" structures and sites that may not have an "existing development footprint."

## **Vegetation Clearing**

- (A) Applicability. This section applies to battery energy storage facilities with a nameplate rating equal to or greater than 100 kW and up to 5 MW to be installed at an existing utility structure or at an existing substation yard or radio tower site where earth disturbance and vegetation clearing are primarily limited to the existing developed footprint. An application is still eligible for treatment under this section if *de minimis* earth disturbance and vegetation clearing for installation and interconnection occurs outside of the existing developed footprint.
- (B) Applications for facilities under this section are subject to Sections 9.302(B)-(J) of this rule.

Respectfully submitted,

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