



State of Vermont

Office of Planning

1 National Life Drive, Davis 2

Montpelier, VT 05620-3901

Ph: (802) 595-0900

Agency of Natural Resources

Electronically Filed using ePUC

October 16, 2025

Holly Anderson, Clerk

Vermont Public Utility Commission

112 State Street – 4th Floor

Montpelier, VT 05620-2701

Re: 25-1253-INV Definition of Single Plant – ANR comments on PUC final proposal

Dear Ms. Anderson:

On June 30, 2025, the Vermont Public Utility Commission (“Commission”) issued an order opening an investigation and seeking comments, in part, on the definition of the term “plant”. The proceeding was in response to Act 38 of 2025, which directs the Commission to submit a recommended amended definition of “plant”.

On October 2, 2025, after a public process and opportunity for comment, the Commission issued a draft recommendation along with a cover letter requesting parties submit any comments on the Commission’s draft recommendation by October 16, 2025. The Vermont Agency of Natural Resources (“Agency”) offers its comments below on the draft recommendation.

The Agency appreciates the Commission’s interest in considering the RES Tier 2 thresholds as part of the definition of ‘plant’; however, it is not entirely clear from the proposed 30 V.S.A. § 8002(18)(b)(2) language, **emboldened** below, exactly how and when that consideration will be used to determine whether a facility is determined to be a plant. Additional clarity on how this provision of the definition may be applied in practice would be appreciated.

30 V.S.A. § 8002(18)(b)(2)

*No more than one facility on the same parcel or contiguous parcels participates in net-metering or the Standard Offer Program up to the statutory capacity cap for the applicable program. **However, the aggregate capacity of all facilities on a parcel and contiguous parcels will be considered for purposes of determining eligibility under 30 V.S.A. § 8005(a)(2).***

Thank you for the opportunity to comment. Please contact me at (802) 595-0900 or Billy.Coster@Vermont.gov if the Agency can be of further assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'BC', with a long horizontal flourish extending to the right.

Billy Coster
Director of Planning and Policy
Vermont Agency of Natural Resources

cc: Service List (by ePUC only)