

Vermont Thermal Energy Networks Language As Passed
May 30, 2024

S.305 pages 22-23, now Act 142

* * * Thermal Energy * * *

Sec. 15. 30 V.S.A. § 201 is amended to read:

§ 201. DEFINITIONS As used in this chapter: * * *

(7) “Thermal energy exchange” means piped noncombustible fluids used for transferring heat into and out of buildings for the purpose of avoiding, eliminating, reducing any existing or new on-site greenhouse gas emissions of all types of heating and cooling processes, including comfort heating and cooling, domestic hot water, and refrigeration.

(8) “Thermal energy exchange network” means all real estate, fixtures, and personal property operated, owned, used, or to be used for or in connection with or to facilitate distribution infrastructure project that supplies thermal energy to more than one household, dwelling unit, or network of buildings that are not commonly owned.

This definition does not include a mutual benefit enterprise, cooperative or common interest community that is owned by the persons it serves and that provides thermal energy exchange services only to its members, a landlord providing thermal energy exchange services only to its tenants where the service is included in the lease agreement, or any entity that provides thermal energy exchange services only to itself.

Sec. 16. 30 V.S.A. § 231 is amended to read:

§ 231. CERTIFICATE OF PUBLIC GOOD; ABANDONMENT OF SERVICE; HEARING * * *

(d) Notwithstanding any other State law to the contrary, a municipality shall have the authority to construct, operate, set rates for, finance, and use eminent domain for a thermal energy exchange network utility without a certificate of public good or approval by the Commission.

Nothing in this section shall alter the requirements of 10 V.S.A. chapter 151 including for district energy projects such as those described in subdivision 209 (e)(1) of this title.

Sec. 17. THERMAL ENERGY EXCHANGE NETWORK DEVELOPMENT REPORT

(a) On or before December 1, 2025, the Public Utility Commission shall issue a report to the House Committee on Environment and Energy and the Senate Committee on Natural Resources

and Energy on how to support the development of thermal energy exchange networks and the permitting of thermal energy exchange network providers.

The report shall address all aspects of the permitting, construction, operation, and rates of thermal energy exchange networks and recommend necessary statutory changes.

(b) Nothing in this section shall be construed to prohibit persons or companies already regulated by the Commission under 30 V.S.A. chapter 5 from pursuing thermal energy change network projects prior to completion of this study.