



July 12th, 2024

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

RE: 21-3883-RULE Proposed Creation of Public Utility Commission Rule Concerning Energy Storage

Dear Clerk Anderson,

Renewable Energy Vermont (“REV”) submits the comments below in response to the Vermont Public Utility Commission’s (“Commission”) May 21st, 2024 Order Seeking Comments on Rule Draft in Case No. 21-3883-RULE. Overall, REV believes that the Draft Rule is consistent with the goals of the rulemaking process. We suggest that the size threshold for the simplified process should be reconsidered and flag two other areas of the Rule that we believe could use additional clarification/attention.

Size Thresholds in Sections 9.302 and 9.303

REV recommends increasing the maximum size thresholds for battery energy storage facilities in sections 9.302 and 9.303 from 1 MW to 5 MW. The footprint of a 5MW battery storage facility is less than half an acre and the impact on Water Conservation, Sufficiency of Water Supply, Burden on Existing Water Supply, and Educational Services, for example, will likely be negligible both for systems sized 1MW and systems sized 5MW. Given that the need for storage is expected to grow and battery density is increasing (meaning that facility footprints are shrinking)¹, it makes sense to extend this simplified process to battery energy storage facilities that are larger than 1 MW. While the interconnection impacts of 5 MW systems may be more significant than for 1 MW systems, the Interconnection Rule ensures that these impacts will be adequately evaluated.

9.402 Safety Standards for Energy Storage Facilities:

REV recommends adding language to identify the applicable edition for each standard to remove any ambiguity in the Rule. Additional language that *“Facilities shall adhere to the latest published version of these standards”* or similar could be added to address this concern.

¹ See e.g. “Battery costs keep falling while quality rises” in *The Rise of Batteries in Six Charts and Not Too Many Numbers* (1/25/2404) by RMI. <https://rmi.org/the-rise-of-batteries-in-six-charts-and-not-too-many-numbers/#:~:text=RMI%20forecasts%20that%20in%202030,5.5%280%938%20TWh%20per%20year>.

REV also flags that the 2023 NFPA 855 gives discretion to the Authority Having Jurisdiction (see 2023 NFPA 855 15.4.1(4)) to disapprove utility spaces as approved locations for energy storage systems. REV believes that a piecemeal approach to approving energy system locations for residential and other small battery storage systems is undesirable and urges the Commission to consider how this Rule could encourage uniformity in this matter.

9.403 Respective duties of retail electricity providers and energy storage facility owners and operators
REV seeks clarification on how 9.403 (A) and (B) would or would not apply to transmission-level storage projects.

Thank you for your consideration of these matters.

Sincerely,



Jonathan Dowds
Deputy Director