



October 7, 2025

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

RE: 25P035 Rule 9.000 Rule Regarding the Installation, Construction, Operation, and Aggregation of Energy Storage Facilities.

Dear Clerk Anderson,

Renewable Energy Vermont (“REV”) submits the comments below in advance of the 10-20-2025 hearing on Rule 9.000. We flag what we believe to be two minor inconsistencies in that rule and raise the issue of whether nameplate capacity or export capacity is the appropriate measure to use to set capacity thresholds.

Potential inconsistencies in the draft rule:

- 9.303(E)(10) requires a petitioner to demonstrate compliance with criteria in Section 9.204(F) but 9.204(F) does not appear in the Rule.
- Rule 9.304(A) state that it applies to “battery energy storage facilities with a nameplate rating greater than 1 MW that require any earth disturbance or vegetation clearing for the facility’s installation or interconnection” but 9.303(A) applies to “battery energy storage facilities with a nameplate rating equal to or greater than 100 kW and no more than 5 MW and where earth disturbance or vegetation clearing is required for installation or interconnection.” This would seem to create overlapping applicability between 9.303 and 9.304.

Capacity threshold measurement:

REV recommends setting capacity thresholds in terms of export capacity rather than nameplate capacity. This would be consistent with the approach taken in Rule 5.500.

Thank you for your consideration of these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Dowds".
JONATHAN DOWDS
Deputy Director