

Act 31 impact notes

- Page 15 of the Act 31 document states “The Commission shall adopt and implement rules” specifically item B Electrical and fire Safety. This is an unknown area of impact as we do not know what the rules would stipulate and what items the rule making process would overlap the DFS statute and rules. See item B in the following section:

(a) The Commission shall adopt and implement rules that govern the installation and operation of energy storage facilities.

(1) The rules shall include provisions that govern:

(A) The respective duties of retail electricity providers and net metering customers.

(B) The electrical and fire safety, power quality, interconnection, metering, and disposal of energy storage facilities.

(C) The formation of aggregations of energy storage facilities and the resolution of disputes between energy storage facility owners and the interconnecting provider

(D) Energy storage facilities paired with other resources, such as net-metering and Standard Offer plants, including retrofits of existing plants

- The use of NFPA 855 will conflict with NFPA 1 chapter 52. The State could have conflicting standards through multiple State agencies as the DFS adopts NFPA 1 chapter 52.
- The use and adoption of NFPA 855 is currently 2 code cycles away from adoption by DFS. This is only if NFPA 855 becomes referenced by NFPA 1 or replaces NFPA 1 chapter 52.
- The use and application of NFPA 855 and NFPA 1 chapter 52 are drastically different, one uses weight and gallons (NFPA 1 chapter 52) and one utilizes KWH, Kilowatt Hour (NFPA 855) This creates issues with life safety requirements.
- Unknown issues/conflict would be jurisdictional, DFS electrical rules can and do govern stored power facilities within or powering complex structures.
- Unknown issues/conflict would be jurisdictional, DFS Vermont fire and Building Safety Code does govern fixed equipment within new and existing buildings and stored power in accordance with NFPA 1 chapter 52.
- NFPA 855 has Life safety, construction, separation, location, requirements for residential and commercial occupancies that would be new requirements not currently mandated. This would also create a conflict in regard to who would be the inspecting agency for any new/ existing installation and construction permit requirements.