

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 18-1040-INV

McLane complaint re: Georgia Mountain Community Wind, LLC wind electric generation facility in Georgia, Vermont, turbine operation in icing conditions on April 15, 2018	
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Order entered: 06/08/2018

ORDER RE: McLANE COMPLAINT

On April 15, 2018, the Vermont Public Utility Commission (“Commission”) received a complaint from Melodie McLane alleging that one or more of the Georgia Mountain Community Wind, LLC (“GMCW”) turbines were operating on April 15, 2018, with ice on the turbine blades.

On April 25, 2018, GMCW responded to the McLane complaint.

On May 7, 2018, the McLanes replied to GMCW’s April 25 response.

On May 8, 2017, the Vermont Department of Public Service (“Department”) filed a response to the McLane complaint, noting its understanding that GMCW would soon be supplementing its response and requesting an opportunity to reply to GMCW’s supplemental response.

On May 14, 2018, GMCW filed its supplemental response.

On May 25, 2018, the Department filed comments in response to GMCW’s May 14, 2018, filing.

Based on the information filed, the Commission finds that there is no reasonable basis to conclude that GMCW violated the terms of its certificate of public good on April 15, 2018, and therefore declines to proceed with a formal investigation in response to the McLane complaint.

The controversy in this matter concerns whether GMCW operated its turbines with ice on the blades on April 15, 2018. According to the McLanes, this can be determined by a combination of the weather conditions present at GMCW’s project site at the time of the complaint, increased sound levels from the turbines, and a drop in turbine output from the time of the complaint until the turbines were shut down automatically in response to the onset of

potential icing conditions approximately 30 minutes after Ms. McLane called GMCW to lodge her complaint.

However, GMCW has provided meteorological and turbine operational data surrounding the time of the McLanes' complaint. The data demonstrate that at the time of the complaint, ambient air temperatures were above freezing and the turbines later shut down automatically as weather conditions became more conducive to ice formation. The data further demonstrate that the drop in turbine output that began at approximately 3:00 p.m. was the result of decreasing windspeeds, with turbine output for all four turbines remaining at expected levels for the wind speeds present during that time. Accordingly, there is no basis for the Commission to conclude that the turbines were operating with ice on the blades at the time of the McLanes' complaint.

Additionally, given the fact that the turbines were shut down automatically pursuant to the project's winter operating protocol approximately 30 minutes after Ms. McLane's call, in which she requested either a return call or that the turbines be shut down, we cannot conclude that GMCW failed to "respond" to Ms. McLane's complaint within the required one hour.¹ However, today we remove any ambiguity in what is required of GMCW when we direct it to "respond" to icing complaints within one hour. A GMCW representative with knowledge of operating conditions and any steps that can be taken in response to a complaint must respond to a complaint within one hour by contacting the complainant directly. In the event GMCW attempts but is unable to reach the complainant within one hour due to factors beyond GMCW's control, (for instance, if the complainant is not answering the phone) GMCW shall document its attempts to contact the complainant within the required time.

With respect to the McLanes' request that video cameras be installed at the project site, we concur with both GMCW and the Department that this is appropriately addressed after GMCW files its annual report on the effectiveness of the winter operating protocol later this summer. The matter can be considered at that time well before the return of potential icing conditions.

Lastly, the McLanes have renewed a request for continuous sound monitoring at the project and have, for the first time, raised allegations about shadow flicker. The request for continuous sound monitoring was previously addressed by the Commission, and no new

¹ See *Investigation into Georgia Mountain Community Wind*, Case No. 17-2571-INV, Order of 2/1/18 at 16.

information has been presented that warrants revisiting that prior determination.² Shadow flicker is not a topic that is addressed by the project's certificate of public good, and the Commission therefore has no basis to find that GMCW is violating its operational requirements at times, if any, when shadow flicker may be present at the McLanes' residence

Based on the foregoing, we decline to initiate a formal investigation in response to the McLane complaint, and ePUC Case No. 18-1040-INV is closed.

SO ORDERED.

² Case No. 17-2571-INV, Order of 2/1/18 at 15.

Dated at Montpelier, Vermont this 8th day of June, 2018.

	)	
Anthony Z. Roisman	)	PUBLIC UTILITY
	)	
	)	
Margaret Cheney	)	COMMISSION
	)	
	)	
Sarah Hofmann	)	OF VERMONT

OFFICE OF THE CLERK

Filed: June 8, 2018

Attest: 
Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Commission within 30 days. Appeal will not stay the effect of this Order, absent further order by this Commission or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Commission within 28 days of the date of this decision and Order.

PUC Case No. 18-1040-INV - SERVICE LIST

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Non-Party Recipients:

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