

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 20-1951-PET

Green Mountain Power Corporation request for a non-substantial change determination, or in the alternative amend the CPG issued to the Lowell Mountain Kingdom Community Wind Project in Docket 7628	
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Order entered: 07/22/2022

PROCEDURAL ORDER

On May 13, 2022, Green Mountain Power Corporation (“GMP”) filed with the Vermont Public Utility Commission (“Commission”) a status report on its efforts to obtain approval of an Aircraft Detection Lighting System (“ADLS”) for use at its Lowell Mountain wind facility pursuant to Condition 34 of the May 31, 2011, certificate of public good issued by the Commission in Docket 7628. According to GMP, there are no viable ADLS options available at this time.

On July 14, 2022, Representative Katherine Sims filed with the Commission the attached inquiry regarding the lighting at GMP’s Lowell Mountain facility.

GMP is directed to file a response to Representative Sims’ inquiry. In its response GMP shall include any additional details regarding its effort in pursuit of an ADLS that were not included in its May 13 filing, as well as a description of any efforts it has made to develop and propose an alternative lighting mitigation plan as contemplated by Condition 34 of the certificate of public good.

GMP shall file its response no later than close of business on August 8, 2022.

Parties to this proceeding may file comments on GMP’s response no later than August 15, 2022.

SO ORDERED.

Dated at Montpelier, Vermont, this 22nd day of July, 2022.



John J. Cotter, Esq.
Hearing Officer

OFFICE OF THE CLERK

Filed: July 22, 2022

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)

From: [Katherine Sims](#)
To: [PUC - Clerk](#)
Subject: Re: VT Public Utility Commission FW: Lowell wind turbines - -radar activated lighting
Date: Thursday, July 14, 2022 11:34:08 AM

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Thanks Holly. Glad to hear that the Commission will be discussing the inquiry at a future meeting. I've seen the status reports filed by GMP which seem to suggest that there aren't any available systems and so I guess the question is are they then required to "submit a plan for an alternative Lighting Mitigation Plan"?

condition 34 of the attached CPG for the Lowell Wind Turbines:

34. The Petitioners shall apply for and take all reasonable steps to obtain approval of the Object Collision Avoidance System ("OCAS"), and shall install the OCAS promptly should it obtain approval. **If the Petitioners are unable to obtain approval of the OCAS, they shall submit for review by the Department and approval by the Board an alternative Lighting Mitigation Plan, within 3 months of notification of disapproval of the OCAS. Parties with standing on the issue shall have two weeks to file comments from the time any alternative Lighting Mitigation Plan is filed.**

Any insight would be appreciated.

Thanks, ks

Katherine Sims
State Representative
Orleans-Caledonia
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KatherineSimsforHouse.com

From: PUC - Clerk <PUC.Clerk@vermont.gov>
Sent: Wednesday, July 13, 2022 10:34 AM
To: Katherine Sims <KSims@leg.state.vt.us>
Subject: VT Public Utility Commission FW: Lowell wind turbines - -radar activated lighting

Hello Representative Sims,

Your below email was referred to me as the Clerk of the Commission. I have spoken to staff and have been informed that GMP filed a status report in Case No. 20-1951-PET on May 13, 2022. The status report states that GMP continues to pursue an OCAS lighting system but that there are not yet any approved for a project such as Lowell. The Commission will be discussing your inquiry next week.

The document referred to and other information in the matter can be found in the case in our ePUC system (<https://epuc.vermont.gov/>) in case number 20-1951-PET. If you, or any of your constituents would like assistance using our ePUC system to access any information, or have any questions, please feel free to reach out to me and I would be happy to assist.

Holly R. Anderson (she/her)
Clerk of the Vermont Public Utility Commission
ePUCSystem Administrator

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From: Katherine Sims <KSims@leg.state.vt.us>
Sent: Monday, July 11, 2022 3:29 PM
To: Knauer, Thomas <Thomas.Knauer@vermont.gov>
Subject: Fw: Lowell wind turbines - -radar activated lighting

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Hi Tim -

Hope all is well, I'm reaching out with questions from a constituent about the CPG for the lowell wind project. Specifically the condition to Object Collision Avoidance System. This hasn't happened and the constituent is wondering about any enforcement of GMP to conform to the requirements of this condition to submit a plan for an alternative Lighting Mitigation Plan. Do you have any insight into this issue or can you point me to the right person to talk with about it?

Best, ks

Katherine Sims

State Representative
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From: Brian Machesney <nekvster@gmail.com>
Sent: Wednesday, July 6, 2022 7:13 AM
To: Katherine Sims <KSims@leg.state.vt.us>
Subject: Re: Lowell wind turbines - -radar activated lighting

Katherine,

I just re-read condition 34 of the attached CPG for the Lowell Wind Turbines:

34. The Petitioners shall apply for and take all reasonable steps to obtain approval of the Object Collision Avoidance System ("OCAS"), and shall install the OCAS promptly should it obtain approval. **If the Petitioners are unable to obtain approval of the OCAS, they shall submit for review by the Department and approval by the Board an alternative Lighting Mitigation Plan, within 3 months of notification of disapproval of the OCAS. Parties with standing on the issue shall have two weeks to file comments from the time any alternative Lighting Mitigation Plan is filed.**

I can't find any indication that GMP has conformed to the requirements of this condition to submit a plan for an alternative Lighting Mitigation Plan.

Brian

On Wed, Jun 22, 2022 at 9:21 AM Brian Machesney <nekvster@gmail.com> wrote:

Katherine,

Thanks for taking the time to talk about this on the phone today. Attached are two recent-ish letters from GMP to the PUC. The "May" letter talks about ANR's objections to the available systems. Please let me know what you're able to unearth on the subject.

Thanks,

Brian

PUC Case No. 20-1951-PET - SERVICE LIST

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