

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 20-1951-PET

|                                                                                                                                                                                                      |  |
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| 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: 08/31/2023

**ORDER REJECTING REPLACEMENT DECOMMISSIONING FUND LETTER OF CREDIT**

On May 31, 2011, the Vermont Public Utility Commission (“Commission”) issued an order and certificate of public good (“CPG”) in Case No. 7628 approving, subject to certain conditions, the construction and operation of an electric generation facility (the “Project”) by Green Mountain Power Corporation (“CPG Holder”).<sup>1</sup> The CPG included conditions requiring the CPG Holder to file for Commission review and approval a letter of credit.<sup>2</sup>

On August 11, 2023, the CPG Holder filed with the Commission a replacement letter of credit and drawing certificate.

Having reviewed the replacement letter of credit, we find that it does not comply with our requirements regarding letters of credit. The CPG Holder must submit a new letter of credit that addresses these deficiencies:

- The letter of credit fails to reference the applicability of the laws of the State of Vermont; and
- The Drawing Certificate must contain the following language: “This Letter of Credit has fewer than thirty (30) days remaining before the date of expiration and the Beneficiary has not received a replacement Letter of Credit to the extent required by the Certificate of Public Good, and the undersigned hereby confirms that the amount of this drawing does not exceed the undrawn face amount of the Letter of Credit.”

The CPG Holder is encouraged to consult the Commission’s website (<https://puc.vermont.gov/electric/letter-of-credit>) where information about filing a letter of credit is posted, including a sample letter of credit and drawing certificate.

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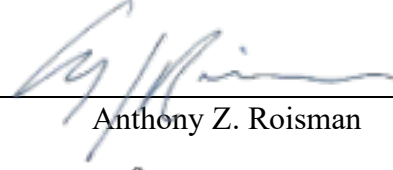
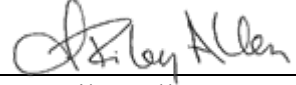
<sup>1</sup> Case No.7628, Order of 5/ 31/11.

<sup>2</sup> See, CPG at ¶ 13.

The replacement letter of credit filed on August 11, 2023, is rejected. Please file a revised letter of credit by September 29, 2023.<sup>3</sup>

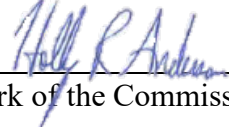
**SO ORDERED.**

Dated at Montpelier, Vermont, this 31st day of August, 2023.

|                                                                                    |   |                |
|------------------------------------------------------------------------------------|---|----------------|
|  | ) |                |
| Anthony Z. Roisman                                                                 | ) | PUBLIC UTILITY |
|                                                                                    | ) |                |
|  | ) | COMMISSION     |
| J. Riley Allen                                                                     | ) | OF VERMONT     |
|                                                                                    | ) |                |

OFFICE OF THE CLERK

Filed: August 31, 2023

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](mailto: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.*

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<sup>3</sup> The Commission prefers that the CPG Holder file a fully revised letter of credit resolving all issues identified above. However, if the CPG Holder is only able to secure an amendment to the already filed letter of credit, then the CPG Holder may file an amendment with a letter explaining that a fully revised letter of credit could not be obtained and the reason.

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

Parties:

Debra L. Bouffard, Esq. (for Green Mountain Power Corporation)  
Sheehey Furlong & Behm  
30 Main Street, 6th Floor  
P.O. Box 66  
Burlington, VT 05402-0066  
dbouffard@sheeheyvt.com

Erin C. Brennan, Esq. (for Vermont Department of Public Service)  
Vermont Department of Public Service  
112 State Street  
Montpelier, VT 05620  
Erin.Brennan@vermont.gov

Victoria J. Brown, Esq. (for Vermont Electric Cooperative Inc.)  
Vermont Electric Cooperative, Inc.  
42 Wescom Road  
Johnson, VT 05656  
vbrown@vermontelectric.coop

Arline P. Duffy (for Green Mountain Power Corporation)  
30 Main Street, 6th Fl  
PO Box 66  
Burlington, VT 05401  
aduffy@sheeheyvt.com

Donald J. Einhorn, Esq. (for Vermont Agency of Natural Resources)  
Vermont Agency of Natural Resources  
1 National Life Drive, Davis 2  
Montpelier, VT 05602-3901  
donald.einhorn@vermont.gov

Geoffrey Hand, Esq. (for Green Mountain Power Corporation)  
SRH Law PLLC  
91 College Street  
PO Box 545  
Burlington, VT 05402  
ghand@srhlaw.com

Liz Miller  
Green Mountain Power  
163 Acorn Lane  
Colchester, VT 05446  
Liz.Miller@greenmountainpower.com

(for Green Mountain Power Corporation)

Donald Nelson, *pro se*  
2058 Pine Hill Road  
Newport, VT 05855  
ds-nelson@peoplepc.com

Shirley Nelson, *pro se*  
2058 Pine Hill Road  
Newport, VT 05855  
ds-nelson@peoplepc.com

James Porter, Esq.  
Vermont Department of Public Service  
112 State Street  
Montpelier, VT 05620  
james.porter@vermont.gov

(for Vermont Department of Public Service)

S Mark Sciarrotta  
Vermont Electric Power Company, Inc.  
366 Pinnacle Ridge Road  
Rutland, VT 05701  
msciarrotta@velco.com

(for Vermont Electric Power Company, Inc.)  
(for Vermont Transco LLC)