

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 23-3088-PET

Petition of Vermont Wind, LLC to amend the certificate of public good to allow petitioner to revise decommissioning letter of credit every third year consistent with Public Utility Commission Rule 5.904(B)	
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**VERMONT DEPARTMENT OF PUBLIC SERVICE COMMENTS
REGARDING PETITION TO AMEND DECOMMISSIONING PLAN AND
CPG**

On September 8, 2023, Vermont Wind, LLC (the, “Petitioner”) filed a request with the Vermont Public Utility Commission (“Commission”) for permission to amend its certificate of public good (“CPG”)¹ and the decommissioning plan filed in accordance therewith² that was approved by the Commission³ on May 14, 2008. Specifically, the Petitioner proposes to replace language in CPG condition 32, and the subsequently filed and approved decommissioning plan, which requires the decommissioning fund to be adjusted for price level changes annually. Instead, the Petitioner proposes that these requirements be replaced with language from Commission Rule 5.904(B)(4), (B)(5), (B)(6), (B)(7), and (B)(8), which requires adjustment for inflation to the decommissioning fund, the letter of credit, and a filed report regarding these adjustments, every three years. The Petitioner also

¹ *Amended Petition of UPVC Vermont Wind, LLC, for a Certificate of Public Good, pursuant to 30 V.S.A. § 248, authorizing the construction and operation of a 40 MW wind electric generation facility, consisting of 16 wind turbines, and associated transmission and interconnection facilities, in Sheffield, Vermont, to be known as the "Sheffield Wind Project", Docket No. 7156, CPG issued 08/08/2007.*

² The revised decommissioning plan filed on February 8, 2008, in Docket No. 7156, was the version approved by the Commission in its May 14, 2008, order.

³ Then known as the Vermont Public Service Board.

recommends other changes to acknowledge and reference the decommissioning plan approved after the CPG was issued. The Petitioner notes that Rule 5.900 was effective after its CPG was issued and that the Commission has granted similar requests to revise older decommissioning plans to conform with Rule 5.900, which has governed decommissioning since August 15, 2017.

The Department of Public Service (“Department”) has reviewed the Petitioner’s request, and the relevant portions of the underlying Commission orders, and supports the Petitioner’s request. However, the Department notes that the Petitioner’s proposed revisions expressly cites Rules 5.904(B)(5) and (B)(6), while the overall revisions include substantive provisions from Rules 5.904(B)(4) through (B)(8). As such, the Department recommends that if the revised CPG is to contain explicit citations to the Rule, that all 5 sections invoked be included.

Thank you for the opportunity to comment. Please do not hesitate to contact us with questions or concerns.

Dated at Montpelier, Vermont this 29th day of September 2023.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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cc: ePUC Service List