

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 23-3505-NM

Application of GMG Farms, LLC for a certificate of public good for a 35.0 kW solar net-metered electric power system in Charlotte, Vermont	
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Order entered: 01/05/2024

ORDER GRANTING CERTIFICATE OF PUBLIC GOOD

In this Order, the Vermont Public Utility Commission adopts the following proposal for decision.

I. PROPOSAL FOR DECISION

II. INTRODUCTION

In this Proposal for Decision, I recommend that the Vermont Public Utility Commission (“Commission”) approve, subject to conditions, an application (“Application”) filed by GMG Farms, LLC (“Applicant”) on October 9, 2023, requesting a certificate of public good (“CPG”), pursuant to 30 V.S.A. §§ 248 and 8010 and Commission Rule 5.100, for a 35.0 kW solar net-metering system in Charlotte, Vermont (the proposed “Project”).

On October 18, 2023, Commission staff issued a memorandum determining that the Application was administratively complete as of October 9, 2023, under Commission Rule 5.106.

Notice and copies of the Application have been provided pursuant to Commission Rule 5.100. The Application stated that any person wishing to submit comments or request a hearing in this matter must file comments with the Commission by November 17, 2023.

On November 3, 2023, the Chittenden County Regional Planning Commission (“CCRPC”) filed public comments raising no objections to the Project (“CCRPC Comments”).

On November 15, 2023, Green Mountain Power Corporation (“GMP”), the interconnecting utility, filed a letter raising concerns about the proposed interconnection of the Project (“GMP Comments”). GMP stated that: (1) the inverters used for the Project are required to comply with the Inverter Source Requirement Document of ISO New England; and (2) for the

Project to interconnect safely and reliably one of two possible secondary conductor upgrade options were required.

On November 16, 2023, the Vermont Division for Historic Preservation (“DHP”) filed comments on the Project (“DHP Comments”). DHP stated that: (1) because the Project area is significantly disturbed it is unlikely to contain important archeological sites; and (2) the Project will have no effect on any historic sites listed in or eligible for inclusion in the State Register of Historic Places.

On December 8, 2023, the Applicant responded to the GMP Comments and filed three sets of equipment specifications (“Applicant’s Response”). The Applicant states that: (1) the inverters to be used will meet the ISO New England Inverter Source Requirement Document and (2) the Applicant met with GMP on site and agreed to a secondary conductor upgrade option and to cover the cost of all upgrades necessary for the Project to safely interconnect.

No other comments on the Application were received by the Commission.

No party has requested an evidentiary hearing or objected to the prefiled testimony and exhibits. The Commission has reviewed the Application and accompanying documents and has determined that, pursuant to 30 V.S.A. §§ 248 and 8010 and Commission Rule 5.100, a CPG should be issued without further investigation or hearing. Accordingly, the following prefiled testimony and exhibits are admitted as if presented at a hearing: the Application; the CCRPC Comments; the Applicant’s three exhibits filed on 10/9/23; the GMP Comments; the Applicant’s Response; and the DHP Comments.¹

III. FINDINGS

Pursuant to 30 V.S.A. § 8(c), and based on the record and evidence before me, I present the following proposed findings of fact to the Commission.

1. The Project will be located on property owned by the Applicant at 700 Greenbush Road in Charlotte, Vermont. Application at Applicant Information and Property Owner Information sections.

2. The Project will consist of a ground-mounted solar electric system with a total capacity of 35.0 kW AC. Application at Photovoltaic System Information section.

¹ If any party has an objection to any of these documents being entered into evidence, the party shall submit its objection within 14 days of the date this Order is entered.

3. The Applicant represents that the Project will comply with the setback requirements of 30 V.S.A. § 248(s) and that the town of Charlotte does not have any applicable screening requirements. Application at Setback Information section.

4. The Project will be located on a preferred site, as defined in Commission Rule 5.103, because it will be located near customer load. Application at Environmental Information/Preferred Sites section.

5. The Project will be interconnected with GMP's electric distribution system. Application at Applicant Information section.

6. The Applicant has elected to transfer all environmental attributes associated with the Project's output, including any renewable energy credits, to GMP. Application at Application Information section.

7. Ben Gordesky on behalf of GMG Farms, LLC has certified that the Project complies with all of the provisions of the Certification section of the Application and that all information provided in the Application is true and correct. Application at Certification section.

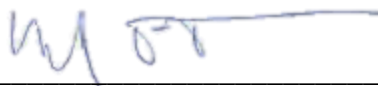
IV. DISCUSSION AND CONCLUSION

Section 8010 of Title 30 Vermont Statutes Annotated requires that the Commission adopt and implement rules that govern the installation and operation of net-metering systems. These rules are embodied in Commission Rule 5.100.

Based upon the certifications of the Applicant and the findings made herein, I recommend the Commission conclude that, subject to conditions, the Project will comply with the requirements of Commission Rule 5.100 and will promote the general good of the State.

This Proposal for Decision has not been circulated to the parties pursuant to 3 V.S.A. § 811 because it is not adverse to any party.

Date: January 5, 2024



Michael E. Tousley, Esq.
Hearing Officer

V. ORDER


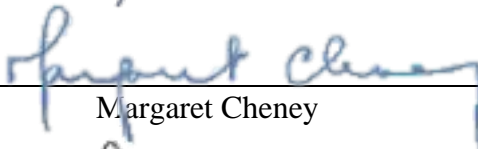
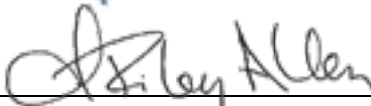
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Vermont Public Utility Commission (“Commission”) that:

1. The findings, conclusions, and recommendations of the Hearing Officer are hereby adopted. All other findings proposed by parties, to the extent that they are inconsistent with this Order, were considered and not adopted.

2. In accordance with the evidence and plans submitted in this proceeding, the 35.0 kW AC solar net-metering system proposed for construction and operation by GMG Farms, LLC (the “CPG Holder”) at 700 Greenbush Road in Charlotte, Vermont (the “Project”), will promote the general good of the State of Vermont pursuant to 30 V.S.A. §§ 248 and 8010, and a certificate of public good (“CPG”) to that effect shall be issued in this matter.

3. As a condition of this Order, the CPG Holder shall comply with all terms and conditions set out in the CPG issued in conjunction with this Order.

Dated at Montpelier, Vermont, this 5th day of January, 2024.

 _____)) PUBLIC UTILITY
Anthony Z. Roisman)	
) _____)	
 _____)) COMMISSION
Margaret Cheney)	
) _____)	
 _____)) OF VERMONT
J. Riley Allen)	

OFFICE OF THE CLERK

January 5, 2024

Filed:

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. 23-3505-NM - SERVICE LIST

Parties:

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(for Vermont Agency of
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*Notice of appearance to be filed.

Non-Party Recipients:

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(Installer)