

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 24-2793-LCOMP

Compliance filings required by certificate of public good issued in Docket No. 7508 to Georgia Mountain Community Wind, LLC, for a 5-wind turbine electric generation facility, with associated electric and interconnection facilities, in Milton and Georgia, Vermont	
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Order entered: 09/19/2024

ORDER REJECTING DECOMMISSIONING FUND LETTER OF CREDIT

On June 11, 2010, the Vermont Public Utility Commission (“Commission”) issued an order and certificate of public good (“CPG”) in Case No. 7508 approving, subject to certain conditions, the construction and operation of an electric generation facility (the “Project”) by Georgia Mountain Community Wind, LLC (“CPG Holder”).¹ The CPG included conditions requiring the CPG Holder to file for Commission review and approval a letter of credit before beginning site preparation or construction of the Project.²

On September 11, 2024, the CPG Holder filed a replacement letter of credit with the Commission.

Having reviewed the letter of credit, we find that it does not comply with our requirements regarding letters of credit. The following provision is not acceptable to the Commission: “This letter of credit is non-transferable and non-assignable.” Additionally, the letter of credit must also reference exclusion of Rule 5.06(c)(i) in the last paragraph.

Further, letters of credit filed with the Commission must be from an A-rated financial institution as clarified by the Commission’s April 25, 2024, general order issued in Case No. 24-1240-INV, which lists the types of documentation that can be provided by CPG holders to verify that the issuing financial institution is the equivalent of “A rated.” The CPG Holder did not provide such supporting documentation to verify that PNC Bank National Association satisfies this requirement.

¹ Order of 6/11/10.

² See, CPG at ¶ 12.

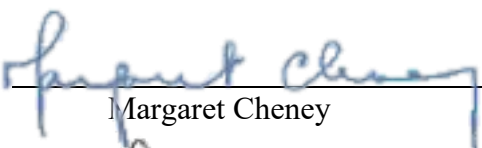
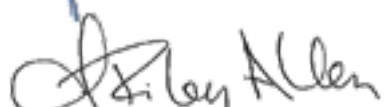
The CPG Holder is encouraged to consult the Commission's website (<https://puc.vermont.gov/electric/letter-of-credit>) where information about filing a letter of credit is posted, including a sample letter of credit and drawing certificate.

The letter of credit filed on September 11, 2024, is rejected. Please file a revised letter of credit and drawing certificate by October 18, 2024.³

SO ORDERED.

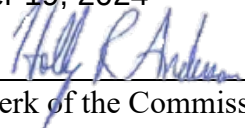
³ The Commission prefers that the CPG Holder file a fully revised letter of credit resolving all issues identified above. However, if the CPG Holder is only able to secure an amendment to the already filed letter of credit, then the CPG Holder may file an amendment with a letter explaining that a fully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

Dated at Montpelier, Vermont, this 19th day of September, 2024.

 _____	)	
Edward McNamara	)	PUBLIC UTILITY
	)	
 _____	)	COMMISSION
Margaret Cheney	)	
	)	
 _____	)	OF VERMONT
J. Riley Allen	)	

OFFICE OF THE CLERK

Filed: September 19, 2024

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. 24-2793-LCOMP - SERVICE LIST

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