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	

Order entered: 07/28/2025

ORDER ADDRESSING OVERDUE COMPLIANCE FILING AND AMENDING CERTIFICATE OF PUBLIC GOOD

I. INTRODUCTION

On June 11, 2010, the Vermont Public Utility Commission ("Commission") issued an order and certificate of public good ("CPG") in Docket No. 7508 authorizing the construction and operation by Georgia Mountain Community Wind, LLC ("CPG Holder") of an electric generation facility ("Project").

In this order the Commission accepts the CPG Holder's calculation of the inflation adjustment to the decommissioning fund and amends the CPG to incorporate the Commission's standard decommissioning conditions.

II. PROCEDURAL HISTORY

On June 9, 2025, the Commission issued an order informing the CPG Holder that it was out of compliance with its CPG and directing the CPG Holder to come into compliance within four weeks of the order. In the same order, the Commission proposed to amend the CPG to incorporate the Commission's current standard decommissioning conditions.

On July 7, 2025, the CPG Holder filed a response to the Commission's order ("CPG Holder Response").

III. OVERDUE COMPLIANCE

The June 9, 2025, order stated that the CPG Holder had not filed the required annual report on the status of the decommissioning fund or an updated letter of credit to adjust the dollar value of the security since 2019 and must do so within four weeks from the date that order was issued. The filing must explain how the inflation adjustment was calculated and include the required report on the status of the decommissioning fund.

The CPG Holder Response included a report showing how the CPG Holder calculated the required inflation adjustment to the decommissioning fund for the period 2019 through 2025.[1] The CPG Holder stated that it is working with its financial institution to issue an amendment to the current decommissioning security (Letter of Credit No. 18140185 from PNC Bank issued on November 15, 2024) and will file a copy of the amendment in ePUC as soon as it is received. The CPG Holder stated that the bank will mail the original directly to the Commission.

The Commission accepts the calculation of the required inflation adjustment and will review the amendment to the current decommissioning security when it is filed in ePUC.

IV. PROPOSED CPG MODIFICATIONS

The CPG was issued for this Project before the Commission had adopted a rule governing the decommissioning of projects subject to Commission review and approval under 30 V.S.A. § 248. At that time, in the absence of a rule, the Commission imposed decommissioning requirements on a case-by-case basis. Since that time, the Commission has adopted Commission Rule 5.900, which establishes standard requirements for the decommissioning of electric generation, electric transmission, and natural gas facilities.[2]

As explained in the June 9, 2025, order, the Commission is interested in standardizing CPG conditions related to decommissioning to reduce administrative costs for both CPG holders and the Commission, streamline the Commission's review of inflation adjustments, and provide CPG holders with additional flexibility to meet decommissioning fund obligations while still ensuring that funds for decommissioning will be available when needed.

Consistent with this approach, in the June 9, 2025, order, the Commission proposed replacing condition 12 of the November 9, 2012, amended CPG that was issued in Docket No. 7508 with six new conditions.

[1] The CPG Holder stated that it included an estimate of inflation for 2025 as a conservative measure during the anticipated transition from annual to triennial adjustments. If the annual inflation amount for all of 2025 is larger than 2.253%, the CPG Holder will true up the adjustment as part of its next inflation adjustment report.

[2] Commission Rule 5.900 took effect on August 15, 2017.

In the CPG Holder Response, the CPG Holder stated its understanding that, provided the CPG amendment is issued after the comment period, the next inflation adjustment report would be due by February 28, 2028, and every three years thereafter.[3]

No other comments were filed on the proposed changes to the CPG.

We find that the proposed amendments to the CPG will promote the general good of the State of Vermont because they are consistent with the decommissioning requirements adopted by the Commission in Rule 5.900. An amendment to the CPG to that effect will be issued in this matter. The new CPG conditions supersede any conflicting provisions in the December 9, 2011, order issued in Docket No. 7508 and any conflicting provisions in the previously approved decommissioning plan for the Project. As a condition of this order, the CPG Holder must comply with the amendment issued in conjunction with this order.

The next report on the status of the decommissioning fund is due February 28, 2028, and every three years thereafter.

V. CONCLUSION

In this order the Commission accepts the CPG Holder's calculation of the inflation adjustment to the decommissioning fund and amends the CPG to incorporate the Commission's standard decommissioning conditions.

SO ORDERED.

[3] CPG Holder Response at 2.

Dated at Montpelier, Vermont, this 28th day of July, 2025.

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

OFFICE OF THE CLERK

Filed: July 28, 2025

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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