

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Chelsea Solar LLC, pursuant	)	Case No. 17-5024-PET
to 30 V.S.A. § 248, for a certificate of public	)	
good authorizing the installation and	)	
operation of the “Chelsea Solar Project,” a 2.0	)	
MW solar electric generation facility located off	)	
Willow Road in Bennington, Vermont	)	
	)	

REPLY BRIEF OF THE VERMONT AGENCY OF NATURAL RESOURCES

The Vermont Agency of Natural Resources (Agency), by and through undersigned counsel, submits this reply brief in the above matter. This reply brief addresses the proposal for decision filed by Chelsea Solar LLC (Chelsea) on October 19, 2018. The Agency requests that, should the hearing officer adopt Chelsea’s proposal for decision (or issue a substantially similar proposal for decision approving the Project), the following corrections and additions be included in the sections identified below.

Corrections and Additions to Chelsea’s Proposal for Decision

1. **Section III, Findings, Proposed Finding 15:** Correct “gab” to “gap” in the first line of the finding.

2. **Section V, Memoranda of Understanding:** Add additional finding as follows.

135. In the MOU, ANR and Chelsea agree that the terms and conditions of two prior MOUs between ANR and Chelsea, which had been agreed to in 2015 in Docket No. 8302, are superseded by Exh. Joint-ANR-CS-1, and that the 2015 MOUs are of no further force and effect.

3. **Section V, Memoranda of Understanding:** Add discussion section as follows.

Discussion

I recommend that the Commission accept the ANR MOU (Exh. Joint-ANR-CS-1) with all of its provisions and conditions without material change or condition and require Chelsea Solar to comply with the terms and conditions of the MOU as a condition of the Commission's approval of the Project.

4. **Section VII, Order, Condition 27b:** Correct the reference to "paragraph 17" which appears in the fifth line to read "paragraph 26."
5. **Section VII, Order, Condition 28:** Correct the reference to "paragraph 18" which appears in the first line to read "paragraph 27."

Conclusion

With the above corrections and additions, the proposal for decision filed by Chelsea would be materially consistent with the MOU between the Agency and Chelsea. The Agency respectfully requests that, should the Commission approve the Project and issue a certificate of public good (CPG), any such approval and CPG be subject to, and contain, the conditions set forth in the MOU between the Agency and Chelsea.

Dated Thursday, November 1, 2018, at Montpelier, Vermont

Respectfully submitted,

State of Vermont
Agency of Natural Resources

A handwritten signature in blue ink, appearing to read 'D. Einhorn', with a long horizontal line extending to the right.

By:

Donald J. Einhorn, Esq.
Senior Litigation Attorney

Filed via ePUC