

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Chelsea Solar LLC, pursuant	)	Case No. 17-5024
to 30 V.S.A. § 248, for a Certificate of	)	
Public Good authorizing the installation	)	
and operation of the “Chelsea Solar	)	
Project,” a 2.00 MW solar electric	)	
generation facility to be located off	)	
Willow Road in Bennington, Vermont		

**CHELSEA SOLAR LLC’S COMMENTS ON
PROPOSAL FOR DECISION**

Chelsea Solar LLC (“Chelsea”) appreciates the time and effort the Commission and the hearing officer have put into this proceeding and reaching the point of a favorable proposal for decision (“PFD”) issued on January 2, 2019. Chelsea hereby respectfully moves the Public Utility Commission (“PUC” or the “Commission”) to accept the following comments to the PFD:

1. On page 53, in the second and third paragraphs discussing the decommissioning plan, it should be noted that in connection with the establishment of the decommissioning fund, the Petitioner submitted both a form letter of credit and form escrow agreement (See Exhibit CS-BW-8). The Petitioner anticipates using the escrow agreement to establish the decommissioning fund as was done (or will be done) in Dockets 17-3727, 8454, 8225, 8797 and 8798. As such, Petitioner suggests the following language be used:

The decommissioning fund would initially be funded by an irrevocable standby letter of credit (“LC”) that includes an auto-extension provision (i.e., "evergreen clause"), and would be issued by an A-rated financial institution solely for the benefit of the Commission, or a security deposit to be held in a federally insured bank in the United States. No other entity, including Chelsea, shall have the ability to demand payment under the LC or withdraw funds from the deposit without the consent of the Commission. Documentation that demonstrates the establishment of the fund would be filed with the Commission prior to commencement of construction. Exh. CS-BW-8.

2. With respect to CPG condition number 33, the Petitioner is required to perform an

updated, rate, threatened or endangered plant survey if Project site preparation or construction does not commence by April 30, 2019. As such, Petitioner respectfully requests that a CPG be issued by February 19, 2019. When factoring in the 30-day time period for potential appeals of a CPG order, an issuance date of February 19, 2019 will allow for site preparation to commence prior to this RTE deadline.

Respectfully submitted,

By: /s/Michael Melone

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