

STATE OF VERMONT
BEFORE THE
PUBLIC UTILITY COMMISSION

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

**CHELSEA SOLAR LLC’S OBJECTIONS TO INTERVENORS’ POST-ARGUMENT
CORRECTIONS AND CLARIFICATIONS**

Chelsea Solar LLC (“Chelsea”) respectfully submits this objection to the “Intervenors Information Responsive to PUC Questions at Oral Argument of March 29, 2019.” While it is good that the Intervenors’ corrected many of the unfounded claims and *ad hominem* attacks of Attorney Dingleline, the Intervenors’ “corrections and clarifications” are themselves inaccurate in several respects.

1. Intervenors’ Para. A. Exhibit CS-BW-69 does not show any “proposed improvement of Willow Road.” The orange line referred to by the Intervenors is part of the once-proposed, but now being built Green Mountain Power distribution circuit to bring electric service along the remainder of Willow Road (Town Highway 18) to the parcel for the Apple Hill Solar project, electrical service which any landowner has the right to receive regardless of what the property is used for. Notably, the GMP distribution system upgrades paid for by the Apple Hill solar project will benefit every other landowner along Willow Road that may want to build their own solar energy system, as the Town encourages solar arrays of up to 150kw on all parcels.

2. Intervenors’ Para. F. The Intervenors statements regarding Willow Road simply ignore the facts and the law. The record evidence clearly establishes that Willow Road is a **public**

road, named **Town Highway #18**, that extends to the project parcel. That fact is shown in the ALTA Survey, **Exhibit CS-BW-5**, which is part of the record. Willow Road is also shown on the VTRANS' town highway maps as extending all the way to the project parcel.¹ Satellite imagery on google earth plainly shows that Willow Road extends to the project parcel and provides regular vehicular access to the parcel. See, **Exhibit CS-BW-7**. What the Intervenor's *inaccurately* refer to as an "extension" already exists and can be plainly seen from space. See, **Exhibit CS-BW-7**.

As a town highway, it is the obligation of the Town to repair and maintain it. Under 19 V.S.A. § 301(7) "Town highways" are "class 1, 2, 3, and 4 highways ... that the towns have authority to exclusively or cooperatively maintain." 19 V.S.A. § 304 provides that "[i]t shall be the duty and responsibility of the selectboard of the town to ... (1) see that town highways and bridges are ... maintained ... when the safety of the public requires ... (2) take any action ... which are necessary for or incidental to the proper management and administration of town highways; (3) purchase tools, equipment, and materials necessary for the construction, maintenance, or repair of highways ..." As the aerial photos establish, Willow Road between the existing homes and the project parcel is regularly used by vehicles. See, **Exhibit CS-BW-7**. Willow Road is a class 4 town highway which the Town on its own or in cooperation with landowners has the obligation to maintain. Willow Road does not differ in any respect for purposes of a CPG from every other public road in Vermont.

3. **Intervenor's Para. G.** The Intervenor's comment continues their distortions regarding the interconnection process and the interconnection itself. Reclosers are owned by GMP and are a part of the distribution system.

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http://vtransmap01.aot.state.vt.us/Maps/TownMapSeries/BENNINGTON_Co/BENNINGTON/BENNINGTON_MILEAGE_2017.pdf.

Respectfully submitted,

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