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October 16, 2020

Judith Whitney, Clerk  
Vermont Public Utility Commission  
112 State Street, 4<sup>th</sup> Floor  
Montpelier, VT 05620-2701

**Re: Case No. 20-1655-NMP, Petition of Norwich Turnpike Solar, LLC**

Dear Ms. Whitney:

This letter is submitted in response to the October 15, 2020 comments submitted by the Agency of Natural Resources (“ANR”) on the Hearing Officer’s September 30, 2020 Proposal for Decision (“PFD”).

For the reasons previously outlined in the Applicant’s prior comments, the Applicant disagrees with the proposed changes to the PFD requested by ANR. Because ANR uses inconsistent LOD requirements for different resources, and when these overlap it would mean two lines of flagging, the Applicant recommends that the condition regarding flagging state that Applicant shall install a continuous line of flagging along the outermost boundaries of the natural resource LOD’s **closest** to the array. This is similar to language recommended by ANR for other projects. Having two lines of flagging confuses workers, and increases the risk of an adverse impact.

For the reasons expressed in the PFD, photos of flagging in a field serve no purpose, and ANR has not offered one. The Applicant requests the Commission to approve the PFD as recommended by the Hearing Officer without ANR’s proposed changes, and to issue a final Order and CPG at the Commission’s earliest convenience.

Cordially yours,

PAUL FRANK + COLLINS P.C.



Kimberly K. Hayden

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