

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 20-2276-NM

Application of Margo Avery Trust for a certificate of public good for a 29.4 kW solar net-metered electric power system in Norwich, Vermont	
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Order entered: 11/13/2020

ORDER GRANTING CERTIFICATE OF PUBLIC GOOD

In this Order, the Vermont Public Utility Commission (“Commission”) adopts the following proposal for decision.

I. PROPOSAL FOR DECISION

II. INTRODUCTION

In this Proposal for Decision, I recommend that the Vermont Public Utility Commission (“Commission”) approve, subject to conditions, an application filed by Margo Avery Trust (“Applicant”) on August 18, 2020, requesting a certificate of public good (“CPG”), pursuant to 30 V.S.A. §§ 248 and 8010 and Commission Rule 5.100, for a 29.4 kW solar net-metering system in Norwich, Vermont (the proposed “Project”).

Notice and copies of the application have been provided pursuant to Commission Rule 5.100. The application stated that any person wishing to submit comments or request a hearing in this matter must file comments with the Commission by October 5, 2020.

On September 3, 2020, the Applicant filed a letter stating that although the Project “would otherwise be a preferred site,” the Norwich zoning administrator had determined that the Project was not a preferred site due to its location in the Town’s ridgeline protection zone, and that the Applicant is not seeking preferred-site status (“Applicant’s 9/3/20 Filing”).

On October 2, 2020, Christopher Katucki filed public comments on the Project noting that the Applicant had not filed any information about the Project’s visual and aesthetic impacts.

Also on October 2, 2020, Green Mountain Power Corporation (“GMP”) filed a request that the Commission not issue a CPG until after October 12, 2020, to allow additional time to

conduct an engineering review of the Project and to communicate those results to the Applicant and the Commission.

On October 13, 2020, GMP filed comments on the Project and identified several fuse upgrades that need to be completed by the Applicant to safely interconnect with GMP's distribution system ("GMP's Conditions").

On October 14, 2020, I requested additional information about the visible and aesthetic effects of the Project and GMP's Conditions.

Also on October 14, 2020, the Applicant filed seven exhibits, including maps and photographs of the Project location.

On October 16, 2020, the Applicant filed additional information concerning aesthetics and agreed to GMP's Conditions ("Applicant's 10/16/20 Response").

No other comments on the application were received by the Commission.

No party has requested an evidentiary hearing or objected to the prefiled testimony and exhibits. The Commission has reviewed the application and accompanying documents and has determined that, pursuant to 30 V.S.A. §§ 248 and 8010 and Commission Rule 5.100, a CPG should be issued without further investigation or hearing. Accordingly, the following prefiled testimony and exhibits are admitted as if presented at a hearing: net-metering application and exhibits; Applicant's 9/3/20 Filing; GMP's Conditions; Applicant's 10/16/20 Response.

III. FINDINGS

Pursuant to 30 V.S.A. § 8(c), and based on the record and evidence before me, I present the following proposed findings of fact to the Commission.

1. The Project will be located on property owned by the Applicant at 297 Tucker Hill Road in Norwich, Vermont. Application at Applicant Information and Property Owner Information sections.
2. The Project will consist of a ground-mounted solar electric system with a total capacity of 29.4 kW AC. Application at Photovoltaic System Information section.
3. The Project will comply with the setback requirements of 30 V.S.A. § 248(s); and the Town of Norwich does not have any applicable screening requirements. Application at Setback Information section.

4. The Project will be located on a preferred site, as defined in Commission Rule 5.103, because it will be located on the same parcel as, or directly adjacent to, a customer that has been allocated more than 50 percent of the net-metering system's electrical output.¹ Application at Environmental Information/Preferred Sites section.

5. The Project will be interconnected with GMP's electric distribution system. Application at Applicant Information section.

6. The Applicant has elected to transfer all environmental attributes associated with the Project's output, including any renewable energy credits, to GMP. Application at Application Information section.

7. Darren O'Meara on behalf of Margo Avery Trust has certified that the Project complies with all of the provisions of the Certification section of the application and that all information provided in the application is true and correct. Application at Certification section.

8. The Applicant has agreed to be responsible for the fuse upgrades identified by GMP as a condition for connection to GMP's electric distribution system. GMP's Conditions; Applicant's 10/16/20 Response.

IV. COMMENTS

Christopher Katucki

Mr. Katucki filed comments stating that the Applicant had not completed the portion of the application that describes the visual and aesthetic impact of the Project or explained why the Project will not have an undue adverse effect on aesthetics and the scenic and natural beauty of the area.

Green Mountain Power Corporation

To interconnect safely and reliably to GMP's distribution system, GMP requires that "the fuses at taglets 72819 and 72808 must be upgraded from a 10k to 12k and from a 15k to 20k respectively." The cost for these fuse upgrades will be the responsibility of the Applicant.

¹ Although the Applicant's 9/3/20 Filing indicates that the Norwich zoning administrator would not consider the Project site as a preferred site, the application represents that 100 percent of the Project's output will be going to the nearby customer load. Accordingly, the Project qualifies as a preferred site pursuant to Commission Rule 5.103.

V. DISCUSSION AND CONCLUSION

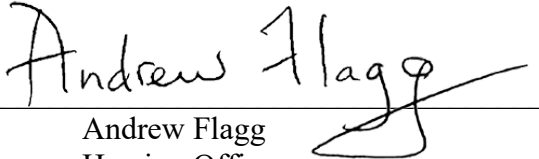
Section 8010 of Title 30 Vermont Statutes Annotated requires that the Commission adopt and implement rules that govern the installation and operation of net-metering systems. These rules are embodied in Commission Rule 5.100.

Mr. Katucki's comments were addressed in the Applicant's 9/3/20 Filing and the Applicant's 10/16/20 Response. The Applicant states that the Project will be bordered by forest on the east, north, and west, and that intervening vegetation will screen any view of the Project from the two nearest residences.

GMP's requirements for fuse upgrades were addressed in the Applicant's 10/16/20 Response. The Applicant has agreed to bear the costs of the fuse upgrades specified by GMP. In order to ensure that the Project will safely and reliably interconnect with GMP's distribution system, I recommend that the Commission include a condition in any CPG issued for the Project specifying that GMP's required fuse upgrades are the responsibility of the Applicant.

Based upon the certifications of the Applicant and the findings made herein, I recommend the Commission conclude that, subject to conditions, the Project will comply with the requirements of Commission Rule 5.100 and will promote the general good of the State.

This Proposal for Decision has not been circulated to the parties pursuant to 3 V.S.A. § 811 because it is not adverse to any party.



Andrew Flagg
Hearing Officer

VI. ORDER


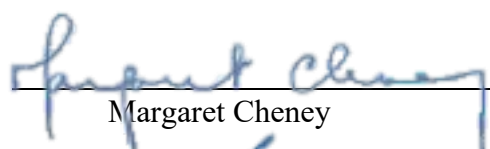
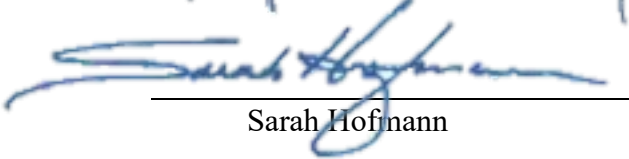
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Vermont Public Utility Commission (“Commission”) that:

1. The findings, conclusions, and recommendations of the Hearing Officer are hereby adopted. All other findings proposed by parties, to the extent that they are inconsistent with this Order, were considered and not adopted.

2. In accordance with the evidence and plans submitted in this proceeding, the 29.4 kW AC solar net-metering system proposed for construction and operation by Margo Avery Trust (the “CPG Holder”) at 297 Tucker Hill Road in Norwich, Vermont (the “Project”), will promote the general good of the State of Vermont pursuant to 30 V.S.A. §§ 248 and 8010, and a certificate of public good (“CPG”) to that effect shall be issued in this matter.

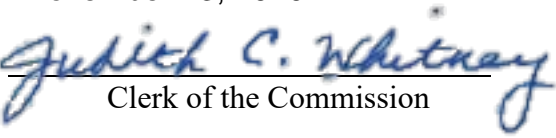
3. As a condition of this Order, the CPG Holder shall comply with all terms and conditions set out in the CPG issued in conjunction with this Order.

Dated at Montpelier, Vermont, this 13th day of November, 2020.

 _____)) PUBLIC UTILITY
Anthony Z. Roisman)	
_____)	
 _____)) COMMISSION
Margaret Cheney)	
_____)	
 _____)) OF VERMONT
Sarah Hofmann)	

OFFICE OF THE CLERK

Filed: November 13, 2020

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. 20-2276-NM - SERVICE LIST

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