

**STATE OF VERMONT
BEFORE THE
PUBLIC UTILITY COMMISSION**

**Investigation pursuant to 30 V.S.A. §§ 30 and
209 into whether the petitioner initiated site
preparation at Apple Hill in Bennington,
Vermont, for electric generation in violation
of 30 V.S.A. § 248(a)(2)**

Case No. 20-1611-INV

RESPONSE TO ORDER

Allco Renewable Energy Limited, PLH Vineyard Sky LLC (“PLH”),¹ Apple Hill Solar LLC, and Chelsea Solar LLC (collectively, the “Responding Parties”), hereby respond to the November 13, 2020, order (the “Order”) of the Vermont Public Utility Commission (“PUC”) in the above-captioned proceedings.

The Responding Parties oppose all injunctive relief, and seek the dissolution of the existing temporary restraining order. The Responding Parties provide the following information requested by the Order:

1. The Responding Parties expect to present testimony by Thomas Melone, Robert Kobelia and James McClammer. The Responding Parties expect to file pre-filed testimony prior to the hearing in order to expedite the hearing. The Responding Parties’ witnesses will be available to live cross-examination.
2. Robert Kobelia’s testimony is expected to address the activities at the site.

¹ Plaintiff PLH LLC converted to a Florida limited liability company and changed its name to PLH Vineyard Sky LLC effective March 3, 2020.

3. James McClammer's testimony is expected to address the purported rare plants species at the site.
4. Thomas Melone's testimony is expected to address, among other things, PLH's farming activities for the site, the irreparable harm that has been and is being suffered as a result of the current restraining order, the lack of a basis for injunctive relief, and other related issues.
5. At this time, the Responding Parties do not yet have available all the exhibits they intend to introduce at the hearing or use in cross-examination.

Respectfully submitted,

/s/ Thomas Melone

Thomas Melone

Allco Renewable Energy Limited

157 Church St., 19th Floor

New Haven, CT 06510

Phone: (212) 681-1120

Email: Thomas.Melone@AllcoUS.com

Attorney for the Responding Parties

Dated: November 25, 2020