

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Investigation pursuant to 30 V.S.A. §§ 30 and	)	
209 into whether the petitioner initiated site	)	Case No. 20-1611-INV
preparation at Apple Hill in Bennington,	)	
Vermont, for electric generation in violation of	)	
30 V.S.A. § 248(a)(2)	)	

INTERVENORS AHHA, MACC & LIBBY HARRIS’
RESPONSE TO PUC’S NOVEMBER 13, 2020 ORDER

NOW COME Intervenor Apple Hill Homeowners Association (“AHHA”), Mount Anthony Country Club (MACC), and Libby Harris, by and through their attorneys of the firm Valsangiacomo, Detora & McQuesten, P.C. and hereby file this response to the Commission’s Order November 13, 2020 Order as follows:

I. INJUNCTIVE RELIEF and its SCOPE

The Commission should issue further injunctive relief in the form of a preliminary and permanent injunction and order Thomas Melone and all named entities and entities that he owns or controls, and any contractors, agents or assigns of any of those entities, to cease further site preparation on the project sites. Such injunction should include an order prohibiting the cutting or removal of the apple trees located on the Apple Hill Residential Subdivision Lot #1, which is owned by PLC LLC, and which is proposed as part of the solar project sites.

II. WITNESSES

Intervenor would like the opportunity to cross-examine Thomas Melone about the matters he raised in his motion for clarification, the use of the property for hemp farming and his registration with the State of Vermont

Agency of Agriculture, the settlement agreement with the Town of Bennington, and the project descriptions and expert testimony presented in the Petition. Counsel estimates 30-45 minutes depending on how cooperative the witness is.

In addition, Intervenors would like the opportunity to briefly cross-examine any of the other witnesses who testify.

III. ADMISSION OF ALL MATERIALS FILED TO DATE

Intervenors have no objection to the admission of all materials filed to date by the parties and all transcripts.

DATED AT Randolph, County of Orange and State of Vermont this 25th day of November, 2020.

APPLE HILL HOMEOWNERS ASSOCIATION,
MOUNT ANTHONY COUNTRY CLUB and
LIBBY HARRIS, Intervenors

By: /s/ *L. Brooke Dingle*
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