

From: [PUC - Clerk](#)
To: ["Steve Hannan"](#)
Cc: [Pulaski, Ludwig](#); [James Fountain](#)
Subject: RE: NECR - Add Motion to Intervene - PUC Net- Metering Application 20-3715-AN – Putney Green Acres Solar LLC at Putney, VT,- OBJECTION - Putney, Windham County, VT - Palmer Sub MP 131.28
Date: Friday, January 8, 2021 4:43:00 PM
Attachments: [image002.png](#)
[image003.png](#)

Dear Mr. Hannan - With regard to your e-mail below, please be advised that no petition has yet been filed with the Public Utility Commission regarding the proposed project. Concerns in the advance stage of a project need to be addressed directly to the petitioner. If and when a petition gets filed with the Commission regarding the project, a new case number will be assigned and you can take steps to file comments and/or intervene in that case. Also, I have spoken with our General Counsel, and he mentioned that I should let you know that the applicant cannot proceed with building the project, or even site preparation, during the advance-notice stage. Under Section 248(a)(2)(A) of Title 30 of the Vermont Statutes Annotated, no one "may begin site preparation for or construction of an electric generation facility" until they file a petition, and the Commission approves, the project.

Thank you.

Sincerely,

Judith C. Whitney
Clerk of the Commission
Vermont Public Utility Commission
112 State Street
Montpelier, VT 05620-2701
802-828-2358
puc.clerk@vermont.gov

From: Steve Hannan <steve.hannan@gwrr.com>
Sent: Friday, January 8, 2021 1:55 PM
To: Whitney, Judith <Judith.Whitney@vermont.gov>
Cc: Pulaski, Ludwig <Ludwig.Pulaski@vermont.gov>; James Fountain <James.Fountain@cn.ca>
Subject: NECR - Add Motion to Intervene - PUC Net- Metering Application 20-3715-AN – Putney Green Acres Solar LLC at Putney, VT,- OBJECTION - Putney, Windham County, VT - Palmer Sub MP 131.28

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Hello Ms. Whitney –

Ludwig Pulaski suggested that we contact you for assistance concerning the above [Case # 20-3715-AN](#). We are concerned about the safety of the proposed project and the fact that several adjoining property owners were NOT listed / contacted on the 45 Day Advance Notice Service List, specifically:

1. **CV Properties Incorporated (Canadian National Railroad)** – owns the railroad corridor, subject to operating easement granted to **New England Central Railroad, Inc.**
2. **State of New Hampshire** – Department of Environmental Services

Per my communication below to Ms. Staskas, we prefer that Putney Green Acres Solar LLC go about this the right way and apply for appropriate railroad crossing, to reduce their risk and provide proper crossing surface, insurance, indemnification and signals, if required. How may we best Add Motion to Intervene to slow the process down until all matters are property addressed? The current proposal provides for an unprotected crossing of a railroad corridor with 6 trains a day, some going 70 MPH.

Please let me know a window of time you can be available to discuss and advise. Thank you for your consideration.

Steve Hannan
Manager – Real Estate
Genesee & Wyoming Railroad Services, Inc.
13901 Sutton Park Drive – Suite 270
Jacksonville, FL 32224
Phone – (904) 900-6307
steve.hannan@gwrr.com

From: Steve Hannan
Sent: Friday, January 8, 2021 10:37 AM
To: 'Martha Staskus' <staskus@norwichsolar.com>; judith.whitney@vermont.gov; James Fountain <James.Fountain@cn.ca>
Cc: Jeffrey Castle (jeffrey.castle@gwrr.com) <jeffrey.castle@gwrr.com>; Debra-Ann Bocash (deb.bocash@gwrr.com) <deb.bocash@gwrr.com>; ludwig.pulaski@vermont.gov; Fitzgerald, Mark <Mark.Fitzgerald@vermont.gov>; Clithero, Toni <Toni.H.Clithero@vermont.gov>
Subject: NECR - PUC Net- Metering Application 20-3715-AN – Putney Green Acres Solar LLC at Putney, VT,- OBJECTION - Putney, Windham County, VT - Palmer Sub MP 131.28

Dear Ms. Staskas:

Please note that Genesee & Wyoming Railroad Services, Inc. is an affiliate of New England Central Railroad, Inc. (NECR), and that this letter is sent on its behalf. Per our January 5, 2021 phone conversation, it has come to the attention of NECR and CV Properties Incorporated (CVP – owner of railroad corridor) that Putney Green Acres Solar LLC (You) proposes to use an undocumented private farm crossing in Putney, Windham County, VT that extends over NECR / CVP's operating railroad corridor, with a parallel access drive extending 1,300 feet north, straddling the railroad corridor and I-91 property to River Road. (see attached exhibits)

Please understand that the operating railroad corridor typically has six (6) trains a day – two (2) Amtrak trains travelling at speeds of up to 70 MPH and four (4) freight trains travelling at speeds of up to 40 MPH.

Per our prior conversation on January 5, 2021 and e-mail communication on September 3, 2020, after a thorough review of its files, NECR has no record that a crossing

was established at this location for private use by You or any other party.

If You have documentation supporting the position that You have rights granted to cross the CVP / NECR corridor, please provide a copy of such document(s) to my attention ASAP.

If we do not receive any documentation from You supporting your use of the crossing within thirty (30) days of receipt of this letter, NECR will then assume that no such documentation exists and take whatever measures may be required to ensure the future safety of the railroad, including the removal of the crossing.

Should You be unable to provide proper crossing documentation, while the crossing is closed, You may apply for a crossing. The process is on link https://www.gwrr.com/real_estate/grade_crossings

Green Mountain Power should be familiar with the application process to obtain a license to cross railroad property. The process is detailed on https://www.gwrr.com/real_estate/utility_occupancies

As You have many unresolved issues and are creating significant safety concerns, we are contacting Vermont's Public Utility Commission to request a delay and/or hearing to stop the pending Net- Metering Application 20-3715-AN – Putney Green Acres Solar LLC at Putney, VT, to allow You to properly address them.

If you have any questions, please call me at (904) 900-6307 or via email at steve.hannan@gwrr.com.

Sincerely,

Steve Hannan
Manager Real Estate

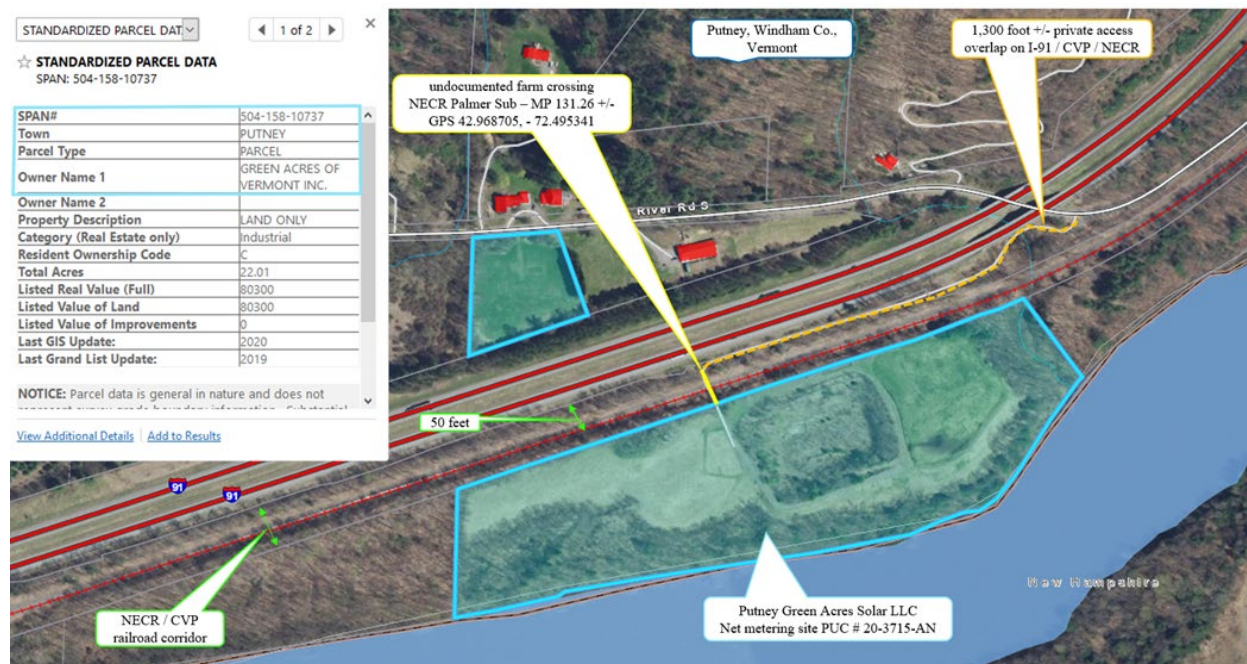
cc:
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Judith Whitney
Clerk, Vermont Public Utility Commission
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From: Steve Hannan
Sent: Thursday, September 3, 2020 10:43 AM
To: Martha Staskus <staskus@norwichsolar.com>
Subject: NECR - Palmer Sub - MP 131.29 +/- Putney Green Acres solar

Hi Martha –

I presume you have confirmed that Putney Paper is providing you with good legal access over New England Central Railroad (NECR) operating tracks at location shown below (red arrow).

Green Mountain Power will know the process to submit an application for a utility line crossing, which you can find on our web site – https://gwrr.com/real_estate/utility_occupancies

Steve Hannan
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From: Martha Staskus <staskus@norwichsolar.com>
Sent: Thursday, September 3, 2020 10:04 AM
To: Steve Hannan <steve.hannan@gwrr.com>
Subject: Putney Green Acres solar

Hi Steve,

Thanks for the return call.

The owners of the Putney Paper landfill are looking to sell their property. We are under contract to purchase the property, with a couple of contingencies, including getting electric to the site. There is currently only road access to the site via a crossing of the railroad as illustrated on the attached site plan. We are looking to install solar on the parcel which will require Green Mountain Power, the local utility, to run a line extension from River Road, along the existing access to the Putney Paper parcel.

What does the railroad need for GMP to do this?

Thanks, Martha

Martha Staskus | VP Development
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