

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 20-1261-NMP

Petition of MHG Solar LLC for a certificate of public good, pursuant to 30 V.S.A. §§ 8010 and 248, to install and operate a 500 kW group net-metered solar electric generation facility in Manchester, Vermont	
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Order entered: 03/18/2021

INFORMATION REQUEST

MHG Solar LLC (the “Applicant”) is requested to respond to the following information requests regarding its application to the Vermont Public Utility Commission (“Commission”) for a certificate of public good for a 500 kW solar net-metering facility in Manchester, Vermont (the “Project”). Responses to these information requests may take the form of testimony, exhibits, or legal argument.

1. Page 27 of the exhibit marked MHG-TH-4, describes a process for the designation of preferred sites by the Town of Manchester.
 - a. Has this portion of the 2020 Manchester Energy Plan been adopted by the Town of Manchester? If so, on what date?
 - b. Has the Manchester Town Plan received a determination of energy compliance under 24 V.S.A. § 4352? If so, when?
 - c. Was the process for designating preferred sites described in the 2020 Manchester Energy Plan followed?
 - d. Please provide copies of all communication between the Applicant and the Town of Manchester regarding the Applicant’s application for a letter of support.
 - e. Please provide a copy of the Applicant’s application for preferred site status.
2. Under 30 V.S.A. § 248(b)(1), the Commission is required to “give substantial deference to the land conservation measures and specific policies contained in a duly adopted regional and municipal plan that has received an affirmative determination of energy compliance under 24 V.S.A. § 4352.”


- a. Must the Commission give substantial deference to the Manchester Town Plan? Please explain the basis for your answer.
 - b. If the Commission is required to give substantial deference, please provide additional testimony addressing the Project's compliance with this standard.
3. In exhibit MHG-LT-1, the Applicant's aesthetic expert states, "The Project parcel is not currently an open space or generally open to or used by the public."
 - a. Please explain the basis for this statement.
 - b. What is the Applicant's definition of "open space"?
 - c. Is it the opinion of the Applicant that "open space" must be "open to or used by the public"? If so, why?
 - d. Is the Project parcel posted against trespassing? When was the parcel posted against trespassing?
 - e. The Project parcel is composed of fields and wooded areas. What percent of the Project parcel will the project occupy? What percent of the parcel area that is currently fields will the Project occupy? Please provide your calculations.
4. In exhibit MHG-LT-1, the Applicant's aesthetic expert states that "The Town does not identify the Project site as a scenic resource."
 - a. Page 30 of the 2017 Manchester Town Plan states "Other roads in Manchester also provide such scenic amenities, including Barnumville Road, East Manchester Road, Overlook Road, Richville Road, River Road, West Road and Wind Hill Road." Please explain the Applicant's position that the Town of Manchester does not identify the Project site as a scenic resource in light of the foregoing Town Plan language.
5. Has the Applicant assessed the suitability of the soils on site for the proposed species of aesthetic mitigation plantings? Please provide any assessment conducted by the Applicant.
6. What are the Applicant's plans for monitoring and maintaining the proposed aesthetic mitigation? Does the Applicant have a contractor that will monitor and maintain the aesthetic mitigation?

- 7. What is the cost of installing the proposed aesthetic mitigation plan?
- 8. What is the anticipated cost of annual maintenance for the aesthetic mitigation plan?
- 9. Assume that some portion of the proposed aesthetic mitigation plantings do not survive. Is the Applicant sufficiently capitalized to replace the following portions of its proposed aesthetic mitigation plantings? Explain.
 - a. 100%
 - b. 50%
 - c. 10%
- 10. Would it be appropriate for the Commission to require the Applicant to establish a dedicated fund to ensure the adequate maintenance of the proposed aesthetic mitigation plan?

The deadline for filing responses to these questions is April 16, 2021. The Applicant or parties may propose an alternative deadline for responses as part of a proposed schedule for this proceeding.

SO ORDERED.

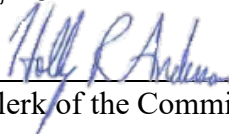
Dated at Montpelier, Vermont, this 18th day of March, 2021.



 Jake Marren, Esq.
 Hearing Officer

OFFICE OF THE CLERK

Filed: March 18, 2021

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)

PUC Case No. 20-1261-NMP - SERVICE LIST

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