

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 20-1261-NMP

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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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**Motion for Request to Take Judicial Notice of  
The Town and Regional Plans  
and  
Motion for Admission of Documents into the Evidentiary Record**

Now come *pro se* Intervenors Mark Slade, Joseph Charbonneau, Timothy Boucher, Glenn Cestaro and Cosmo Penge, and hereby request that the Public Utility Commission (“PUC”) take Judicial Notice of the following duly enacted laws:

- The Manchester Town Plan (adopted May 9, 2017)<sup>1</sup>
- The Manchester Energy Plan (adopted May 19, 2020)<sup>2</sup>
- The Bennington County Regional Plan (adopted March 19, 2015) and
- The Bennington County Regional Energy Plan (adopted March 23, 2017)<sup>3</sup>

and hereby move the PUC for the admission of these Town and Regional Plan documents into the evidentiary record in this case.

It is essential that the full municipal and regional plans be admitted into the evidentiary record for consideration by the PUC in order to conduct its proper

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<sup>1</sup> See the 2017 Manchester Town Plan document at: <http://manchester-vt.gov/wp->

<sup>2</sup> See the 2020 Manchester Town Energy Plan document at: <https://manchester-vt.gov/wp-content/uploads/2021/02/Manchester-Energy-Plan-adopted-May-19-2020.pdf>

<sup>3</sup> See the 2015 Bennington County Regional Plan and 2017 Regional Energy Plan at: <http://www.bcrvvt.org/regional-plan.html>

determination of compliance with those documents. Petitioner submitted only short excerpts of the plans that favor its position. The request to admit the full documents is reasonable and will not result in any delay to the PUC's review of the petition nor cause prejudice to any party. To the contrary, the admission of the legal documents against which this Petition must be measured, is indispensable to the full and fair review process that is required before a determine can be made regarding the issuance of a Certificate of Public Good. The application is *de facto* incomplete without the law upon which this application must be measured against.

WHEREFORE Intervenor(s) Slade, Charbonneau, Boucher, Cestaro and Penge respectfully request that the PUC take Judicial Notice of and admit the entirety of the 2017 Manchester Town Plan, the 2020 Manchester Energy Plan, the 2015 Bennington County Regional Plan and the 2017 Bennington County Regional Energy Plan into the evidentiary record.

Dated Manchester, Vermont, this 14<sup>th</sup> day of May, 2021.

by  
/s/ *Cosmo Penge*  
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