

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Randolph Davis Solar LLC for a	)	
certificate of public good pursuant to 30 V.S.A.	)	
§§ 248 and 8010, authorizing installation and	)	
operation of a 500 kW (AC) photovoltaic group	)	21-____-NMP
net-metering system in Randolph, Vermont	)	
	)	

Order entered: / /2021

FINAL ORDER GRANTING NET-METERING CERTIFICATE OF PUBLIC GOOD

The Vermont Public Utility Commission (“Commission”) adopts the following proposal for decision.

PROPOSAL FOR DECISION

I. INTRODUCTION

This case involves an application (“Application”) filed by Randolph Davis Solar LLC (“Applicant”) with the Commission for a certificate of public good (“CPG”), pursuant to 30 V.S.A. §§ 248 and 8010, to install and operate a 500 kW solar net-metering system at 0 Davis Road, Randolph, Vermont (the proposed “Project”).

Based on the findings made herein and subject to conditions, I recommend that the Commission conclude that the Project complies with the requirements of Commission Rule 5.100, the Application does not raise a significant issue with respect to the applicable criteria of 30 V.S.A. §§ 248 and 8010, and the Project will promote the general good of the State of Vermont.

II. PROCEDURAL HISTORY

On August 11, 2021, the Applicant filed the Application with the Commission.

On __, 2021, Commission deemed the application complete.

On __, 2021, the Vermont Division for Historic Preservation (“VDHP”) filed comments.

On __, 2021, the Vermont Agency of Natural Resources (“ANR”) filed comments.

On __, 2020, the Vermont Department of Public Service (the “Department” or “DPS”) filed comments.

III. CONDITIONAL WAIVER OF REVIEW UNDER CERTAIN CRITERIA FOR NET-METERING PROJECTS

Pursuant to 30 V.S.A. § 8010 and Commission Rule 5.111, the Commission has conditionally waived review of the following criteria, and I recommend that the Commission find that no party presented any testimony that warrants rescinding any part of that waiver in this proceeding:

- 30 V.S.A. § 248(b)(2) (need);
- 30 V.S.A. § 248(b)(4) (economic benefit);
- 30 V.S.A. § 248(b)(6) (integrated plan);
- 30 V.S.A. § 248(b)(7) (electric energy plan);
- 30 V.S.A. § 248(b)(9) (waste-to-energy facilities); and
- 30 V.S.A. § 248(b)(10) (transmission facilities).

Therefore, only the criteria applicable to the system under Rule 5.111 are addressed in this Order.

IV. FINDINGS

Pursuant to 30 V.S.A. § 8(c), and based on the record and evidence before me, I present the following proposed findings of fact and conclusions of law to the Commission.

Description of the Project

1. The Project is a 500 kW AC ground-mounted solar electric generation facility sited on the host landowner's ± 20.7 acre parcel located approximately 1,500± feet north of the intersection of Davis Road and Rt. 14, Randolph, Vermont. Staskus pf. at 4.
2. The land parcel is not subject to an Act 250 Land Use permit. Staskus pf. at 4.
3. The electric power will travel between the rows enclosed in code compliant conduit, below grade, connecting the panel rows, string inverters, AC combiner panel and AC disconnect, and interconnecting to three new pole-mounted transformers owned by Green Mountain Power Corporation ("GMP"), typical of transformers used throughout GMP's distribution system. A GMP line extension will connect the new pole-mounted transformers to GMP's existing distribution circuit. Staskus pf. at 6; exh. RDS MS-2; exh. RDS MS-7.
4. The Project will include the following principal Project components:

- multiple rows of solar panels mounted on a racking system anchored to the ground¹;
- ten (10) string inverters each having a capacity of 50 kW (AC), for an aggregate nameplate capacity of 500 kW (AC);
- electrical lines enclosed in code compliant conduit, connecting the panel rows, string inverters, AC combiner panel and AC disconnect pedestal;
- three (3) 167 kVA pole-mounted transformers on a new GMP distribution pole;
- a GMP line extension to connect to the existing GMP distribution system;
- access via a gravel drive off Davis Road; and
- a wildlife fence 8-foot high, with mesh size no smaller than 6 inches by 6 inches extending from the ground level up to three feet or higher and secured by a locked gate. In the event a fence is not required, energized equipment will be rated for outdoor use, securely shielded by locked enclosure covers and otherwise compliant with NEC code "Guarding of Live Parts" or otherwise

Staskus pf. at 7-8; exh. RDS MS-2.

5. Installation activities and related deliveries will occur between 7:00 AM and 7:00 PM Monday through Friday, and on Saturdays from 8:00 AM to 5:00 PM, if required to meet the Project schedule. No construction activities or deliveries will occur on Sundays or on state or federal holidays. Staskus pf. at 9.

Applicable Rate Adjustors

6. The Applicant has elected to transfer the Project's renewable energy credits ("RECs") to GMP. Application at 5.

¹ The exact number and wattage will be determined at time of procurement.

7. The Randolph Selectboard and Planning Commission and the Two Rivers-Ottawaquechee Regional Commission (“TRORC”) have each designated the Project location as a Preferred Site. Staskus pf. at 10; exh. RDS MS-5.

Orderly Development of the Region

[30 V.S.A. § 248(b)(1)]

8. The Project will not unduly interfere with the orderly development of the region. This finding is supported by findings 9 through 12, below.

9. Section 248(b)(1) “relates to the orderly development of the region, not to a particular municipality within the region.” *In re Petition of Rutland Renewable Energy, LLC for Certificate of Public Good Pursuant to 30 V.S.A. § 248*, 2016 Vt. 50, ¶ 9. The Project’s footprint relative to the surrounding landscape is localized and minimal. Exh. RDS MS-6 at 9.

10. The Project will not unduly interfere with any land conservation measures contained in the Randolph Town Plan or the TRORC Regional Plan. Exh. RDS MS-6 at 9-10.

11. The Project will further the goals of each plan to encourage the development of renewable energy sources. Exh. RDS MS-6 at 7-9 and Appendices A & B.

12. The Project location has also been designated as a Preferred Site and therefore is suitable for solar development. Exh. RDS MS-5.

Municipal Screening Requirements

[30 V.S.A. § 248(b)(1)(B)]

13. The Town has not adopted screening requirements for ground-mounted solar electric generation facilities pursuant to either 24 V.S.A. §§ 2291(28) or 4414(15). Staskus pf. at 10.

Impact on System Stability and Reliability & Transmission

[30 V.S.A. § 248(b)(3) & § 248(b)(10)]

14. The Project will not have an undue adverse impact on system stability or reliability or adversely impact the transmission system. This finding is supported by findings 15 and 16, below.

15. On April 28, 2021, GMP issued a Fast Track Report for the Project. Exh. RDS MS-7. On May 6, 2021, the Applicant and GMP executed a Feasibility Study Agreement. Staskus pf. at 13.

16. The Applicant has budgeted for and will be responsible for paying for all necessary interconnection costs designated as Applicant's responsibility in the Feasibility Study, as required by Rule 5.500. Staskus pf. at 13.

Aesthetics, Historic Sites, Air and Water Purity, the Natural Environment, the Use of Natural Resources, and Public Health and Safety

[30 V.S.A. § 248(b)(5)]

17. Subject to the conditions described below, the Project will not have an undue adverse effect on aesthetics, historic sites, air and water purity, the natural environment, the use of natural resources, or public health and safety, with due consideration having been given to the criteria specified in 10 V.S.A. §§ 1424a(d) and 6086(a)(1) through (8) and (9)(K), impacts on primary agricultural soils as defined in 10 V.S.A. § 6001, and greenhouse gas impacts. This finding is supported by findings 18 through 67, below.

Outstanding Resource Waters

[10 V.S.A. § 1424a(d)] and [30 V.S.A. § 248(b)(8)]

18. The Project will not affect any outstanding resource waters as defined by 10 V.S.A. § 1424a(d) because there are no outstanding resource waters at or near the Project. Exh. RDS DB-2 at Section VI.

Noise, Air & Water Purity and Greenhouse Gas Impacts

[30 V.S.A. § 248(b)(5); 10 V.S.A. § 6086(a)(1)]

19. As a renewable energy source powered by the sun, this Project will contribute to reducing greenhouse gas emissions to the extent it displaces fossil-fueled generating resources. Staskus pf. at 13.

20. The Project will contribute to reducing greenhouse gas emissions. Based upon 2021 US EPA equivalency numbers, the approximately 900,000 kWh/year of electricity that is expected to be generated annually by the Project equates to 638 metric tons/year of avoided CO₂ emissions. Over a 25-year period, the Project is estimated to avoid approximately 15,950 metric tons of greenhouse gases. Staskus pf. at 14 (citing <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>).

21. Importantly, the State of Vermont is part of the U.S. Climate Alliance, a coalition of states committed to upholding the commitments of the Paris Agreement, to keep temperature increases below 1.5 degrees Celsius by committing to reduce collective net GHG emissions at least

50-52 percent below 2005 levels by 2030, and to collectively achieve overall net-zero GHG emissions as soon as practicable and no later than 2050. Staskus pf. at 14 (citing <http://www.usclimatealliance.org/alliance-principles>).

22. In May 2017, Governor Phil Scott and Massachusetts Governor Charles Baker jointly wrote to the US Secretary of Energy stating:

The impacts of climate change have already been felt in our states. We have seen the impacts of rising sea levels, increasingly severe flooding, heat waves, droughts, and decline in snow cover. These impacts threaten the people of our states and put an intense burden on our economies.

Staskus pf. at 14 (citing <https://governor.vermont.gov/content/paris-climate-agreement-letter>).

23. In 2020, the Vermont Legislature passed the Global Warming Solutions Act, adopting legislative findings that emphasize the need for more action:

A climate emergency threatens our communities, State, and region and poses a significant threat to human health and safety, infrastructure, biodiversity, our common environment, and our economy.

According to the IPCC and the World Bank, a failure to substantially reduce emissions over the next ten years will require even more substantial reductions later and will increase the costs of decarbonization. Delaying necessary policy action to address the climate crisis risks significant economic damage to Vermont.

By implementing climate mitigation, adaptation, and resilience strategies, Vermont will also position its economy to benefit and thrive from the global transition to carbon neutrality and national and international efforts to address the crisis.

According to the Vermont Agency of Natural Resources, the adverse impacts of climate change in Vermont include an increase in the severity and frequency of extreme weather events, a rise in vector-borne diseases including Lyme disease, more frequent cyanobacteria blooms, adverse impacts to forest and agricultural soils, forest and crop damage, shorter and irregular sugaring seasons, a reduction in seasonal snow cover, and variable and rising average temperatures that result in uncertain and less snowfall.

Staskus pf. at 15 (quoting Act No. 153 (2020), § 2 (Legislative Findings)).

24. The 2016 Vermont Comprehensive Energy Plan (“CEP”) recognized these concerns and expressly endorsed the build-out of community scale solar distributed generation as a mitigation strategy to combat climate change:

Renewable generation technologies deployed on a small scale are currently more expensive than other sources of electricity. Even so, these smaller---scale renewable projects offer great potential, given the need for zero---and low---emission energy supply; for long---term affordability and price stability, as helped by the low---cost or no---cost fuels required to generate most forms of renewable electricity; for energy security and stability; and for a diverse resource mix, along with the expressed preferences of Vermonters for greater use of renewable resources, especially distributed and community---scale resources. Fostering small---scale and distributed renewable energy is an objective of the CEP.

Staskus pf. at 16 (quoting CEP at 243)

25. Any limited air emissions or greenhouse gas emissions associated with installation will be primarily from any fossil-fueled vehicles and equipment used for deliveries, worker transportation, and installation activities. The emissions will be typical of small construction projects, will be short-term, and will not be adverse. Throughout its operation, the Project will generate no air pollution, with the exception of minimal vehicle emissions associated with periodic site and equipment maintenance visits. Staskus pf. at 13.

26. The Project will not cause undue noise. The combined impact of all noise-emitting equipment from the nearest residence is 22.9 dBA. Staskus pf. at 13; Exh. RDS MS-8.

27. During the limited installation period sounds typical of construction equipment will be generated by the light installation activities. Staskus pf. at 13.

Water Pollution

[10 V.S.A. § 6086(a)(1)]

28. The Project will not result in undue water pollution. This finding is supported by findings 29 through 48, below.

Headwaters

[10 V.S.A. § 6086(a)(1)(A)]

29. The Project is located in a headwater as it is located within a watershed with a drainage area less than 20 square miles and is characterized by steep slopes. Exh. RDS DB-2 at Section IV.

30. The Project will obtain an Agency of Natural Resources, Department of Environmental Conservation Construction Stormwater General Permit prior to commencement of installation and be performed in accordance with the *Vermont Standards & Specifications for Erosion and Prevention and Sediment Control*, 2020. Staskus pf. at 19; exh. RDS DB-2 at Section IV.

31. The Project grounds, including space between the solar panel rows, will remain vegetated and maintained. Staskus pf. at 9; exh. RDS DB-2 at Section IV.

32. The Project will not involve the disposal of wastes and will not involve the injection of waste materials or any harmful toxic substances into groundwater or wells. In addition, the Project will use three GMP pole-mounted transformers that will utilize mineral oil. Staskus pf. at 9, 18; exh. RDS DB-2 at Section IV.

33. The proposed Project will not result in a reduction of the quality of ground or surface waters in the area. Exh. RDS DB-2 at Section IV.

Waste Disposal

[10 V.S.A. § 6086(a)(1)(B)]

34. The Project will meet all applicable Health and Vermont Department of Environmental Conservation regulations regarding the disposal of wastes and will not involve the injection of waste materials or any harmful or toxic substances into groundwater or wells. Staskus pf. at 18.

35. There is no onsite sanitary wastewater systems, and therefore no associated injection of sanitary wastewater into the ground. Staskus pf. at 18.

Water Conservation & Burden on Existing Water Supply

[10 V.S.A. § 6086(a)(1)(C) & § 6086(a)(2) & (3)]

36. The Project itself will not utilize water. Use of water will be limited to what is necessary to control dust during installation and to promote germination of seed. Staskus pf. at 19.

37. The Project will not unreasonably burden existing water supply. Staskus pf. at 19.

Floodways**[10 V.S.A. § 6086(a)(1)(D)]**

38. The proposed Project is not located within a flood hazard area, floodway or a floodway fringe and will not restrict or divert the flow of floodwaters or significantly increase the peak discharge of a river or stream within or downstream from the Project, or endanger health, safety, or welfare of the public or of riparian owners during flooding. Exh. RDS DB-2 at Section V.

Streams**[10 V.S.A. § 6086(a)(1)(E)]**

39. The Project will whenever feasible where development is on or adjacent to the banks of a stream, maintain the natural condition for the stream, and will not endanger the health, safety, or welfare of the public or adjoining landowners, and will not adversely impact any streams. This finding is supported by findings 40 and 41, below.

40. There are no surface waters within the Project area. The closest stream is an unnamed tributary located ~ 75' southwest of the Project. Exh. RDS DB-2 at Section VI.

41. The Project will not result in any clearing of forest vegetation within the riparian buffer zone (as measured 50' from top of bank/top of slope/ and edge of wetland) of stream resources. Exh. RDS DB-2 at Section VI; exh. RDS MS-2.

Shorelines**[10 V.S.A. § 6086(a)(1)(F)]**

42. The Project is not located on a shoreline river, lake, pond, or reservoir. Exh. RDS DB-2 at Section VII.

43. The closest shoreline to the Project is that of the White River ~500' to the southeast of the Project area. The Project area is not along the river and therefore will not result in any clearing of forest vegetation along the shores of the White River. Exh. RDS DB-2 at Section VII.

Wetlands**[10 V.S.A. § 6086(a)(1)(G)]**

44. The Project will not violate the rules of the Secretary of Natural Resources, as adopted under chapter 37 of Title 10, Vermont Statutes Annotated, relating to significant wetlands. This finding is supported by finding 45, below.

45. Field review confirmed the presence of presumed Class 2 wetlands to the southwest of the Project area. The Project array and access have been designed to avoid the presumed Class 2 wetlands and 50' wetland buffer zone. Exh. RDS DB-2 at Section VIII; exh. RDS MS-2.

Soil Erosion

[10 V.S.A. § 6086(a)(4)]

46. The Project will not cause undue soil erosion or reduce the capacity of the land to hold water so that a dangerous or unhealthy condition results. This finding is supported by findings 47 and 48, below.

47. Total Limit of Disturbance from installation activities for purposes of the stormwater Construction General Permit will be approximately 11.9± acres. Staskus pf. at 19; exh. RDS MS-2.

48. Project installation will be performed in accordance with the *Vermont Standards and Specifications for Erosion Prevention and Sediment Control* (2020). The Project will apply for coverage under the Agency of Natural Resources Department of Environmental Conservation Construction General Permit. Staskus pf. at 19.

Transportation

[10 V.S.A. § 6086(a)(5)]

49. There will be no long-term transportation impacts, and only short-term, periodic traffic impacts due to deliveries of Project equipment to the site during installation. Staskus pf. at 20.

50. Such deliveries will use existing roads with vehicles that commonly use public roads. No oversized or overweight trucks or permits are necessary. Staskus pf. at 20.

Educational Services

[10 V.S.A. § 6086(a)(6)]

51. The Project will not place an unreasonable burden on the ability of a municipality to provide educational services because the Project will not require or affect educational services. Staskus pf. at 20.

Municipal Services

[10 V.S.A. § 6086(a)(7)]

52. The Project will not place an unreasonable burden on the ability of the affected municipality to provide municipal or government services. Use of municipal roads to transport equipment and materials will be limited in duration and similar to many other small-scale projects. Staskus pf. at 20.

Aesthetics, Historic Sites, and Rare and Irreplaceable Natural Areas
[10 V.S.A. § 6086(a)(8)]

53. The Project will not have an undue adverse impact on aesthetics or on the scenic or natural beauty of the area, nor will the Project have an undue adverse effect on historic sites or rare and irreplaceable natural areas. This finding is supported by findings 54 through 64, below.

Aesthetics

54. The Project will not result in an adverse impact to aesthetics. This finding is supported by findings 55 through 62, below.

55. “[T]he Quechee test did not guarantee that the aesthetic qualities of an area would not change.”²

56. Through careful site selection, the array is compatible with its surroundings. The Project footprint relative to the surrounding landscape is localized, and its low-profile and structural elements are consistent with activities occurring in the area and will appear similar to other renewable energy solar arrays commonplace in Vermont. Exh. RDS MS-6 at 6.

57. The Project will be set back 256± feet from Davis Road, the nearest public road, and will be approximately 75± feet above road level. Views along Davis Road will be limited, if at all, due to intervening vegetation, changes in topography and the changing orientation of the traveled way. Exh. RDS MS-6 at 6.

58. The Project will not be a dominant element in this landscape. It will be screened from public views in all directions by the undulating topography and existing vegetation. This siting provides reasonable mitigation, reducing the Project’s potential visual impact. Exh. RDS MS-6 at 6.

59. The project does not violate any clearly written community standard to preserve the aesthetics or scenic, natural beauty of the area. To constitute a clear community standard under

² *In re Amended Petition of UPC Wind*, 2009 VT 19, ¶ 27.

Quechee, a town or regional plan provision must "identif[y] the area of th[e] project for special protection to protect aesthetics or scenic beauty."³ Neither the Randolph Town Plan nor the TRORC Regional Plan identify the area of this Project for special protection to protect aesthetics or scenic beauty. Exh. RDS MS-6 at 7.

60. Moreover, the Project will further the goals of each plan to encourage the development of renewable energy sources in order to reduce greenhouse gas ("GHG") emissions and combat the global climate crisis. Because the Commission's consideration of aesthetics under Section 248 is significantly informed by overall societal benefits of the project, and in light of the important GHG reduction mandates enacted by the Vermont Legislature in 2020, the local and regional plans provisions that address these issues are significant considerations to the Commission's aesthetics analysis. Exh. RDS MS-6 at 7.

61. The Project will not be shocking or offensive to the average person. As used in Quechee, the average person means "the average member of the viewing public who would see a particular project from the vantage point of the public" and "from an objective, as opposed to subjective and neighborly, perspective."⁴ To reach the threshold of being "shocking or offensive," the size or scale of the project would need to be "overwhelming."⁵

62. The scale of the Project is not overwhelming or excessive and is largely screened from views by intervening topography and vegetation. Its low-profile presence in the landscape is compatible with its rural surroundings and will appear like other fixed-tilt, ground mounted renewable energy solar arrays commonplace in Vermont. Exh. RDS MS-6 at 7.

Historic Sites

63. Applicant's historic sites assessment and VDHP's assessment confirm that the Project will not result in an adverse effect on historic sites. Exh. RDS MS-6 at 10; exh. RDS MS-10.

Rare and Irreplaceable Natural Areas ("RINA")

64. There are no Rare and Irreplaceable Natural Areas present within the Project area.

³ *In re Petition of Rutland Renewable Energy, LLC. for a Certificate of Public Good Pursuant to 30 V.S.A. § 248*, 2016 Vt. 50, ¶ 19.

⁴ *In re Petition of Rutland Renewable Energy, LLC. for a Certificate of Public Good Pursuant to 30 V.S.A. § 248*, 2016 Vt. 50, ¶ 22.

⁵ *Id.*

Exh. RDS DB-2 at Section IX.

Necessary Wildlife Habitat and Endangered Species

[10 V.S.A. § 6086(a)(8)(A)]

65. The Project will not destroy or significantly imperil necessary wildlife habitat or any endangered species. This finding is supported by findings 66 and 67, below.

66. The Vermont Fish and Wildlife Department has mapped the Project area as white-tailed deer winter area (“DWA”). Mr. Noel Dodge from the Vermont Fish and Wildlife Department conducted a site visit on July 29, 2021. At this site visit it was determined that the Project site does not provide deer wintering habitat. Exh. RDS DB-2 at Section X.A.

67. The Applicant has agreed to certain conditions requested by VANR, as set forth in the proposed CPG, for site preparation, construction, maintenance, and decommissioning. Staskus pf. at 12; exh. RDS DB-2 at Section X.A.

Development Affecting Public Investments

[10 V.S.A. § 6086(a)(9)(K)]

68. The Project will not unnecessarily or unreasonably endanger the public or quasi-public investment in any facility, service, or lands, or materially jeopardize or interfere with the function, efficiency, or safety of, or the public’s use or enjoyment of, or access to any such facility, service, or lands. This finding is based upon findings 69 through 73, below.

69. Due to the limited amount of time required for installation, the Project will not adversely impact the public’s use of proximate roadways. Staskus pf. at 22.

70. The Project will not result in an undue adverse impact to aesthetics. Exh. RDS MS-6.

71. The Project has been designated a Preferred Site for solar. Exh. RDS MS-5.

72. The Project also creates a number of benefits with local, statewide, and regional significance, including supporting renewable energy development and construction related jobs, contributing to Vermont’s GHG electricity sector emissions, reducing Vermont’s dependence on out-of-state electricity sources, and the Renewable Energy Credits (“RECs”) will be transferred to GMP to be retired. Staskus pf. at 22.

73. The Project will also benefit public investments, in that it will generate new tax revenues to the Town of Randolph and to the State of Vermont Education Fund. Staskus pf. at 22.

Public Health and Safety

[30 V.S.A. § 248(b)(5)]

74. The Project will not have any undue adverse effects on the health, safety, and welfare of the public. This finding is supported by findings 75 through 77, below.

75. Unlike fossil fuels, this solar generation project will not create waste or other emissions that would be harmful to public health and safety. Staskus pf. at 17.

76. The Project equipment and design satisfies all applicable safety codes, including NEC and NESC. The Project transformers will be compliant with GMP's specifications (Distribution Standard #T-01, 3.1, 12/13) that meet or exceed ANSI C57.12.00-2010, C57.12.20-2005, C57.12.90-2006, and all other applicable ANSI, IEEE, EEL, NEMA, and OSHA Standards. Staskus pf. at 17.

77. The Project inverters will be compliant with IEEE 1547 Standard for Interconnection and Interoperability of Distributed Resources with Associated Electrical Power Systems Interfaces (2018) and UL 1741 SA. Further, all energized equipment will be rated for outdoor use, securely shielded, include locked enclosure covers, and otherwise compliant with NEC code "Guarding of Live Parts." Staskus pf. at 17; exh. RDS MS-4.

Primary Agricultural Soils

[30 V.S.A. § 248(b)(5)]

78. Approximately 2.05± acres of PAS are within the area of the proposed clearing and construction limit of disturbance delineation, of which 0.10±acre will be disturbed by excavation of underground power or access. Staskus pf. at 20; exh. RDS MS-2.

79. PAS disturbed will be stockpiled on site. Upon decommissioning, Project infrastructure will be removed and the PAS returned. Staskus pf. at 21.

Setbacks

[30 V.S.A. § 248(s)]

80. The Project meets the 50 foot property boundary setback and the 100 foot setback from the nearby state or municipal road as measured from the edge of the traveled way. Staskus pf. at 18; exh. RDS MS-2.

CONCLUSION

Based upon the certifications of the Applicant and the findings made herein, I recommend that the Commission conclude that, subject to conditions, the Project will comply with the requirements of Commission Rule 5.100 and will promote the general good of the State.

This Proposal for Decision has not been circulated to the parties pursuant to 3 V.S.A. § 811 because it is not adverse to any party.

Hearing Officer

V. ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED by the Public Utility Commission (“Commission”) of the State of Vermont that:

1. The findings, conclusions, and recommendations of the Hearing Officer are hereby adopted. All findings proposed by parties that were not adopted in this Order are expressly rejected.

2. In accordance with the evidence and plans submitted in this proceeding, the 500 kW AC photovoltaic group net-metering system (the “Project”) proposed for installation and operation by Randolph Davis Solar LLC (the “CPG Holder”) at 0 Davis Road, Randolph, Vermont, will promote the general good of the State of Vermont pursuant to 30 V.S.A. §§ 248 and 8010, and a certificate of public good (“CPG”) to that effect shall be issued in this matter.

3. As a condition of this Order, the CPG Holder shall comply with all terms and conditions set out in the CPG issued in conjunction with this Order.

Dated at Montpelier, Vermont this ____ day of _____ 2021.

_____)	PUBLIC
_____)	UTILITY COMMISSION
_____)	OF VERMONT

OFFICE OF THE CLERK

FILED: _____

ATTEST: _____

Clerk of Commission