

**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	)	Case No. 21-2939MP
operation of a 500 kW (AC) photovoltaic group	)	
net-metering system in Randolph, Vermont	)	

PETITIONER’S RESPONSE TO LANDOWNERS’ MOTION FOR STAY

NOW COMES Randolph Davis Solar LLC (the “Petitioner”) and responds to intervenors Joan Allen’s and Michael Binder’s (the “Landowners”) motion submitted on December 14, 2021 asking the Vermont Public Utility Commission (“Commission”) to stay its review of the Petitioner’s application for a 500 kW (AC) photovoltaic group net-metering system in Randolph, Vermont (the “Project”).

The stated basis for the request for stay is the Landowners’ affidavit “that contains [their] observations and some quotations from a meeting of the Randolph Planning Commission on December 7, 2021 regarding the Preferred Site Letter that was issued before the petition for this project was filed.” In the affidavit, the Landowners recite selected excerpts from a recording of the December 7, 2021 Randolph Planning Commission meeting. The affidavit suggests that the Planning Commission may revoke its preferred site designation of the Project if portions of the Project array are located on slopes greater than 25%.

The Petitioner has been working collaboratively with the Planning Commission both before and subsequent to the December 7, 2021 meeting and has reached out to the Landowners as well. Based upon topographical elevation details provided by the Petitioner and the following assurances by the Petitioner, the Planning Commission affirmed in writing on December 14, 2021 that it has not revoked the preferred site designation for the project:

“[P]rior to installation of the panels, Norwich Technologies will confirm the grade slopes in the area of the solar panels by having a Vermont licensed surveyor set grade stakes for the solar array rows location and document the slopes. The parties have noted specific concern to the terrain on the eastern side of the array, and again, confirmation will be secured before any panels are installed in that location. The array will be arranged so that solar panels within the current limit of disturbance are not installed on slopes greater than 25%. The onsite survey data *can be provided to the Town and the Allen/Binders upon request.*”

See Exhibit A, Randolph Planning Commission December 14, 2021 letter to Norwich Solar Technologies. The Planning Commission's posted minutes of the December 7, 2021 meeting are included as Exhibit B.

Dated at Burlington, Vermont, this 15th day of December, 2021.

Respectfully submitted,

Randolph Davis Solar LLC



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