

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Investigation pursuant to 30 V.S.A. §§ 30 and	)	Case No. 20-1611-INV
209 into whether the petitioner initiated site	)	
preparation at Apple Hill in Bennington,	)	
Vermont, for electric generation in violation	)	
of 30 V.S.A. § 248(a)(2)		

AFFIRMATION OF STEVE BROYER

This document has been filed on ePUC

March 16, 2023

I, Steve Broyer, being duly sworn, over 18 years of age, and competent to testify on these matters. Based on my personal knowledge and experience, I am able to testify to the validity of the following information:

1. My name is Steve Broyer, and I am I am a Senior Project Engineer at Ecos Energy LLC (“Ecos”). My business address is 222 South 9th Street, Suite 1600, Minneapolis, Minnesota 55402.
2. The group of entities referred to by the Vermont Public Utility Commission (“PUC”) as the developer (the “Developer”) in the above-captioned matter have already suffered significant financial penalties as the result of the injunction issued by the PUC. The developer has incurred substantial external costs for sheep grazing mowing and trimming costs that would have been done in-house.

3. The Developer also lost \$2,200 in fees paid to the Vermont Agency of Agriculture Food and Markets for the hemp growing licenses. Although it is difficult to calculate lost profits with respect to the Developer's planned hemp growing business, it is clear that the Developer has been penalized by its inability to cultivate its land in Bennington since June of 2020.
4. The PUC's injunction has also prevented the landowner from all uses of its land plus the additional 5 acre parcel on which no solar facility has been proposed on.
5. During the time of the PUC's injunction the landowner has incurred carrying costs including taxes for both the 27-acre and 5-acre parcel in excess of \$39,757, without the ability to use its land for any purpose.
6. Attached hereto is a copy of the value of both the 27-acre parcel and the 5-acre parcel for each of 2020, 2021, 2022 and 2023 as calculated by the Bennington tax assessor.

Dated: March 16, 2023

I declare that the above statement is true and accurate to the best of my knowledge and belief. I understand that if the above statement is false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.



Steve Broyer



Town of Bennington

205 South Street

PO Box 469

Bennington, VT 05201

(802) 442-1037

This is the only bill you will receive. Please forward to new owner if property is sold.

TAX BILL

PARCEL ID	BILL DATE	TAX YEAR
29503100.	08/19/2022	2022-23

Bill for July 1, 2022 to June 30, 2023.

Taxes unpaid after the due date are delinquent. Maximum interest as allowable by law will be charged in addition to a penalty of 8%.

Location: 1033 WILLOW RD

Description: 27.04A..

OWNER PLH LLC
222 S 9TH ST SUITE 1600
MINNEAPOLIS MN 55402

SPAN # 051-015-65401 SCL CODE: 015
TOTAL PARCEL ACRES 27.04

FOR INCOME TAX PURPOSES

ASSESSED VALUE				NONHOMESTEAD			
REAL		44,400				44,400	
TOTAL TAXABLE VALUE		44,400				44,400	
GRAND LIST VALUES		444.00				444.00	
MUNICIPAL TAXES				EDUCATION TAXES			
TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES	TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES
General	0.8283	x444.00=	367.76	NONHOMESTEAD EDUCATION	1.7164	x444.00=	762.08
Highway	0.4202	x444.00=	186.57	See reverse side for education tax rate calculation information.			
Rural Fire	0.0857	x444.00=	38.05				
Local Agreement	0.0033	x444.00=	1.47				
TOTAL MUNICIPAL TAX			593.85	TOTAL EDUCATION TAX			762.08
MUNICIPAL STATE PAYMENT			0.00	EDUCATION STATE PAYMENT			0.00
MUNICIPAL NET TAX DUE			593.85	EDUCATION NET TAX DUE			762.08
				TAX SUMMARY			
				Municipal + Education			
				TOTAL TAX		1,355.93	
				TOTAL STATE PAYMENT		0.00	
				TOTAL NET TAX DUE		1,355.93	

DETACH THE STUBS BELOW AND RETURN WITH YOUR PAYMENT

Town of Bennington

PAYMENT DUE	TAX YEAR
11/10/2022	2022-23
OWNER NAME	
PLH LLC	
PARCEL ID	
29503100-	
AMOUNT DUE	1355.93
AMOUNT PAID	

Make checks payable to Town of Bennington. For a receipt, enclose entire bill with self addressed stamped envelope.

No staples please.



Accepted by contacting
ACI Payments, Inc.
1-800-272-9829
www.acipayonline.com
jurisdiction code: 5507



122016891



Town of Bennington

205 South Street

PO Box 469

Bennington, VT 05201

(802) 442-1037

TAX BILL

This is the only bill you will receive. Please forward to new owner if property is sold.

PARCEL ID	BILL DATE	TAX YEAR
29503100.	08/19/2021	2021-22

Bill for July 1, 2021 to June 30, 2022.

Taxes unpaid after the due date are delinquent. Maximum interest as allowable by law will be charged in addition to a penalty of 8%.

Location: 1033 WILLOW RD

Description: 27.04A..

OWNER PLH LLC
222 S 9TH ST SUITE 1600
MINNEAPOLIS MN 55402

SPAN # 051-015-65401 SCL CODE: 015
TOTAL PARCEL ACRES 27.04

FOR INCOME TAX PURPOSES

ASSESSED VALUE				NONHOMESTEAD				
REAL	44,400					44,400		
TOTAL TAXABLE VALUE	44,400					44,400		
GRAND LIST VALUES	444.00					444.00		
MUNICIPAL TAXES				EDUCATION TAXES				
TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES	TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES	
General	0.7862	x444.00=	349.08	NONHOMESTEAD EDUCATION	1.7186	x444.00=	763.06	
Highway	0.4010	x444.00=	178.04					
Rural Fire	0.0851	x444.00=	37.78					
Local Agreement			1.47					
				See reverse side for education tax rate calculation information.				
				Payments				
				1	11/10/2021	TOTAL EDUCATION TAX		763.06
						EDUCATION STATE PAYMENT		0.00
					1,329.43	EDUCATION NET TAX DUE		763.06
				TAX SUMMARY				
				Municipal + Education				
				TOTAL TAX				1,329.43
				TOTAL STATE PAYMENT				0.00
				TOTAL NET TAX DUE				1,329.43
TOTAL MUNICIPAL TAX				566.37				
MUNICIPAL STATE PAYMENT				0.00				
MUNICIPAL NET TAX DUE				566.37				

DETACH THE STUBS BELOW AND RETURN WITH YOUR PAYMENT

Town of Bennington

PAYMENT DUE	TAX YEAR
11/10/2021	2021-22
OWNER NAME	
PLH LLC	
PARCEL ID	
29503100-	
AMOUNT DUE	1329.43
AMOUNT PAID	

Make checks payable to Town of Bennington. For a receipt, enclose entire bill with self addressed stamped envelope.

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1-800-272-9829
www.officialpayments.com
jurisdiction code: 5507



121016861



Town of Bennington

PO Box 469

205 South Street
Bennington, VT 05201
(802) 442-1037

TAX BILL

This is the only bill you will receive. Please forward to new owner if property is sold.

PARCEL ID	BILL DATE	TAX YEAR
29503100.	08/17/2020	2020-21

Bill for July 1, 2020 to June 30, 2021.

Taxes unpaid after the due date are delinquent. Maximum interest as allowable by law will be charged in addition to a penalty of 8%.

Location: 1033 WILLOW RD

Description: 27.04A..

OWNER PLH LLC
222 S 9TH ST SUITE 1600
MINNEAPOLIS MN 55402

SPAN # 051-015-65401 SCL CODE: 015
TOTAL PARCEL ACRES 27.04

FOR INCOME TAX PURPOSES

ASSESSED VALUE				FOR INCOME TAX PURPOSES			
				NONHOMESTEAD			
REAL		44,400				44,400	
TOTAL TAXABLE VALUE		44,400				44,400	
GRAND LIST VALUES		444.00				444.00	
MUNICIPAL TAXES				EDUCATION TAXES			
TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES	TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES
General	0.7540	x444.00=	334.77	NONHOMESTEAD EDUCATION	1.7389	x444.00=	772.07
Highway	0.4042	x444.00=	179.46				
Rural Fire	0.0858	x444.00=	38.10				
Local Agreement	0.0033	x444.00=	1.47				
TOTAL MUNICIPAL TAX			553.80	See reverse side for education tax rate calculation information.			
MUNICIPAL STATE PAYMENT			0.00				
MUNICIPAL NET TAX DUE			553.80				
				Payments			
				1 11/10/2020			
				1,325.87			
				TOTAL EDUCATION TAX 772.07			
				EDUCATION STATE PAYMENT 0.00			
				EDUCATION NET TAX DUE 772.07			
				TAX SUMMARY			
				Municipal + Education			
				TOTAL TAX 1,325.87			
				TOTAL STATE PAYMENT 0.00			
				TOTAL NET TAX DUE 1,325.87			

DETACH THE STUBS BELOW AND RETURN WITH YOUR PAYMENT

Town of Bennington

PAYMENT DUE	TAX YEAR
11/10/2020	2020-21
OWNER NAME	
PLH LLC	
PARCEL ID	
29503100-	
AMOUNT DUE	1325.87
AMOUNT PAID	



120016811

Make checks payable to Town of Bennington. For a receipt, enclose entire bill with self addressed stamped envelope.

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Town of Bennington

205 South Street

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(802) 442-1037

TAX BILL

This is the only bill you will receive. Please forward to new owner if property is sold.

PARCEL ID	BILL DATE	TAX YEAR
29503004.	08/19/2022	2022-23

Bill for July 1, 2022 to June 30, 2023.

Taxes unpaid after the due date are delinquent. Maximum interest as allowable by law will be charged in addition to a penalty of 8%.

Location: 557 APPLE HILL RD

Description: 5.63A..

OWNER PLH LLC
222 S 9TH ST SUITE 1600
MINNEAPOLIS MN 55402

SPAN # 051-015-70059 SCL CODE: 015
TOTAL PARCEL ACRES 5.63

FOR INCOME TAX PURPOSES

ASSESSED VALUE				NONHOMESTEAD			
REAL	71,900					71,900	
TOTAL TAXABLE VALUE				71,900	71,900		
GRAND LIST VALUES				719.00	719.00		
MUNICIPAL TAXES				EDUCATION TAXES			
TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES	TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES
General	0.8283	x719.00=	595.55	NONHOMESTEAD EDUCATION	1.7164	x719.00=	1,234.09
Highway	0.4202	x719.00=	302.12				
Rural Fire	0.0857	x719.00=	61.62				
Local Agreement	0.0033	x719.00=	2.37				
				See reverse side for education tax rate calculation information.			
				Payments	TOTAL EDUCATION TAX		1,234.09
				1 11/10/2022	EDUCATION STATE PAYMENT		0.00
				2,195.75	EDUCATION NET TAX DUE		1,234.09
				TAX SUMMARY			
				Municipal + Education			
TOTAL MUNICIPAL TAX				961.66	TOTAL TAX		2,195.75
MUNICIPAL STATE PAYMENT				0.00	TOTAL STATE PAYMENT		0.00
MUNICIPAL NET TAX DUE				961.66	TOTAL NET TAX DUE		2,195.75

DETACH THE STUBS BELOW AND RETURN WITH YOUR PAYMENT

Town of Bennington

PAYMENT DUE	TAX YEAR
11/10/2022	2022-23
OWNER NAME	
PLH LLC	
PARCEL ID	
29503004-	
AMOUNT DUE	2195.75
AMOUNT PAID	



122016881

Make checks payable to Town of Bennington. For a receipt, enclose entire bill with self addressed stamped envelope.

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Town of Bennington

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TAX BILL

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PARCEL ID	BILL DATE	TAX YEAR
29503004.	08/19/2021	2021-22

Bill for July 1, 2021 to June 30, 2022.

Taxes unpaid after the due date are delinquent. Maximum interest as allowable by law will be charged in addition to a penalty of 8%.

Location: 557 APPLE HILL RD

Description: 5.63A..

OWNER PLH LLC
222 S 9TH ST SUITE 1600
MINNEAPOLIS MN 55402

SPAN # 051-015-70059

SCL CODE: 015

TOTAL PARCEL ACRES

5.63

FOR INCOME TAX PURPOSES

ASSESSED VALUE				NONHOMESTEAD			
REAL		71,900				71,900	
TOTAL TAXABLE VALUE		71,900				71,900	
GRAND LIST VALUES		719.00				719.00	
MUNICIPAL TAXES				EDUCATION TAXES			
TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES	TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES
General	0.7862	x719.00=	565.28	NONHOMESTEAD EDUCATION	1.7186	x719.00=	1,235.67
Highway	0.4010	x719.00=	288.32				
Rural Fire	0.0851	x719.00=	61.19				
Local Agreement	0.0033	x719.00=	2.37				
				See reverse side for education tax rate calculation information.			
				Payments		TOTAL EDUCATION TAX	
				1 11/10/2021		EDUCATION STATE PAYMENT	
				2,152.83		EDUCATION NET TAX DUE	
				TAX SUMMARY			
				Municipal + Education			
TOTAL MUNICIPAL TAX				TOTAL TAX			
MUNICIPAL STATE PAYMENT				TOTAL STATE PAYMENT			
MUNICIPAL NET TAX DUE				TOTAL NET TAX DUE			

DETACH THE STUBS BELOW AND RETURN WITH YOUR PAYMENT

Town of Bennington

PAYMENT DUE	TAX YEAR
11/10/2021	2021-22
OWNER NAME	
PLH LLC	
PARCEL ID	
29503004-	
AMOUNT DUE	2152.83
AMOUNT PAID	

Make checks payable to Town of Bennington. For a receipt, enclose entire bill with self addressed stamped envelope.

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121016851



Town of Bennington

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Bennington, VT 05201
(802) 442-1037

TAX BILL

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PARCEL ID	BILL DATE	TAX YEAR
29503004.	08/17/2020	2020-21

Bill for July 1, 2020 to June 30, 2021.

Taxes unpaid after the due date are delinquent. Maximum interest as allowable by law will be charged in addition to a penalty of 8%.

Location: 557 APPLE HILL RD

Description: 5.63A..

OWNER PLH LLC
222 S 9TH ST SUITE 1600
MINNEAPOLIS MN 55402

SPAN # 051-015-70059 SCL CODE: 015
TOTAL PARCEL ACRES 5.63

FOR INCOME TAX PURPOSES

ASSESSED VALUE				FOR INCOME TAX PURPOSES			
REAL		71,900		NONHOMESTEAD		71,900	
TOTAL TAXABLE VALUE		71,900				71,900	
GRAND LIST VALUES		719.00				719.00	
MUNICIPAL TAXES				EDUCATION TAXES			
TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES	TAX RATE NAME	TAX RATE	x GRAND LIST =	TAXES
General	0.7540	x719.00=	542.13	NONHOMESTEAD EDUCATION	1.7389	x719.00=	1,250.27
Highway	0.4042	x719.00=	290.62				
Rural Fire	0.0858	x719.00=	61.69				
Local Agreement	0.0033	x719.00=	2.37				
				See reverse side for education tax rate calculation information.			
				Payments		TOTAL EDUCATION TAX	
				1 11/10/2020		EDUCATION STATE PAYMENT	
				2,147.08		EDUCATION NET TAX DUE	
				TAX SUMMARY			
				Municipal + Education			
TOTAL MUNICIPAL TAX				896.81		TOTAL TAX	
MUNICIPAL STATE PAYMENT				0.00		2,147.08	
MUNICIPAL NET TAX DUE				896.81		TOTAL STATE PAYMENT	
						0.00	
						TOTAL NET TAX DUE	
						2,147.08	

DETACH THE STUBS BELOW AND RETURN WITH FORM