



**State of Vermont
Public Utility Commission**

MEMORANDUM

To: VT Real Estate Holdings 2 LLC
From: Rowan Cornell-Brown, Reviewer^{RCB}
Re: 24-2945-PET – Incomplete Filing
Date: September 25, 2024

On September 17, 2024, the Vermont Public Utility Commission (“Commission”) received your petition to construct a 20 MW solar electric generation facility in Fair Haven, Vermont.

Commission staff have reviewed the petition and supporting prefiled testimony and exhibits and have determined, pursuant to Commission Rule 5.406, that the petition is incomplete for the following reasons:

1. The proposed facility includes a setback that does not meet the minimum requirements of 30 V.S.A. §248s. §248s(2)(B) allows the Commission to approve a smaller setback if there is an agreement between the applicant, the municipal legislative body, and each owner of property adjoining the reduced setback.
2. The petition does not include sufficient evidence to support a positive finding regarding the impact of the facility on historic sites, particularly archeological sites, because Phase I and Phase II archeological investigations are still ongoing, or have not yet been completed, on some portions of the project site.
3. Testimony states that very few comments have been received from local residents, but does not summarize the comments received. If any of the comments were from adjoining landowners or other entities entitled to advance notice of the facility, please provide a summary of those comments.

Based on the above, under Commission Rule 5.406, “[t]he Commission will not take any further action on an incomplete petition unless and until the petitioner files the missing information and the Commission determines that the petition is administratively complete.” Accordingly, the Commission will not take any further action in this case until VT Real Estate Holdings 2 LLC files testimony and/or exhibits fully addressing the noted deficiencies.

PUC Case No. 24-2945-PET - SERVICE LIST

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