

CASE SUMMARY**CASE NO. 23-AP-346**

In re Investigation Pursuant to 30 V.S.A. Sec. 30 & 209
into Whether the Petitioner Initiated Site Preparation at
Apple Hill in Bennington, VT (Allco Renewable Energy
Limited et al.)*

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Location: **Supreme Court**
Filed on: **10/27/2023**
Appeal to Supreme Court: **20-1611-INV**

CASE INFORMATION

Statistical Closures
08/30/2024 Written Opinion

Case Type: **Administrative Agency Appeal**
Subtype: **Public Utility Commission**
Case Status: **09/20/2024 Disposed**

PARTY INFORMATION

		<i>Attorneys</i>
Appellant	Allco Renewable Energy Limited	Melone, Thomas Michael <i>Retained</i> 212-681-1120(W)
	Apple Hill Solar LLC	Melone, Thomas Michael <i>Retained</i> 212-681-1120(W)
	Chelsea Solar LLC	Melone, Thomas Michael <i>Retained</i> 212-681-1120(W)
	PLH Vineyard Sky LLC	Melone, Thomas Michael <i>Retained</i> 212-681-1120(W)
Appellee	Agency of Natural Resources	Golubock, David <i>Retained</i> 646-445-9165(W) Einhorn, Donald J. <i>Retained</i> 802-249-1720(W)
	Department of Public Service	Civiletti, Benjamin B <i>Retained</i> 802-622-4388(W) Porter, James, III <i>Retained</i> 802-828-4003(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
10/18/2023	 Entry Fee Paid Paid by: Appellant Allco Renewable Energy Limited with copy of notice of appeal.	
10/27/2023	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone</i>	
10/27/2023	Case Open	
10/27/2023	 Notice of Appeal Filed TC NOA Date: 10/17/2023	
10/27/2023	 Board - Agency Appeal	

VERMONT SUPREME COURT
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10/27/2023	 Agency Record Filed
10/27/2023	 Case Number Assignment Notice
10/27/2023	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah
10/30/2023	Agency Record Filed <i>ePUC file. Downloaded & saved 7/20/2023, 12/4/2020, 8/31/2020, 6/26/2020 PUC hearing transcripts to Odyssey.</i>
10/31/2023	 Notice of Attorney's Appearance Filed by: Appellate Attorney Golubock, David Representing: Appellee Agency of Natural Resources
11/01/2023	 Certificate of Service Filed by: Appellate Attorney Golubock, David; Appellee Agency of Natural Resources
11/01/2023	 Appellant's Docketing Statement Filed by: Appellate Attorney Melone, Thomas Michael; Appellant Chelsea Solar LLC; Appellant Allco Renewable Energy Limited; Appellant Apple Hill Solar LLC; Appellant PLH Vineyard Sky LLC
11/02/2023	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone, Benjamin B Civiletti</i>
11/02/2023	 Record Complete
11/02/2023	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David
11/15/2023	 Appellee's Docketing Statement Filed by: Appellate Attorney Golubock, David; Appellee Agency of Natural Resources
11/15/2023	 Appellee's Docketing Statement Filed by: Appellate Attorney Civiletti, Benjamin B; Appellee Department of Public Service
12/11/2023	 Motion to Extend Time or Continue Filed by: Appellate Attorney Melone, Thomas Michael; Appellant Chelsea Solar LLC; Appellant Allco Renewable Energy Limited; Appellant Apple Hill Solar LLC; Appellant PLH Vineyard Sky LLC <i>Assented to Motion for Extension of Time to File Appellants' Brief and Printed Case</i>
12/14/2023	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone, Benjamin B Civiletti</i>
12/14/2023	 Entry Regarding Motion - Granted (Judicial Officer: Carroll, Karen R.) Motion #: 1

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12/14/2023	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David <i>Time Standards Updated: AAB/PC due 1/11/24; AEB due 2/12/24</i>	
01/09/2024	 Motion to Extend Time or Continue Filed by: Appellate Attorney Melone, Thomas Michael; Appellant Chelsea Solar LLC; Appellant Allco Renewable Energy Limited; Appellant Apple Hill Solar LLC; Appellant PLH Vineyard Sky LLC <i>APPELLANTS SECOND ASSENTED TO MOTION FOR EXTENSION OF TIME TO FILE APPELLANTS BRIEF & PRINTED CASE</i>	Index # 2
01/11/2024	Entry Regarding Motion - Granted (Judicial Officer: Cohen, William D.) Motion #: 2 <i>Time Standards Updated for AAB, PC, AEB</i>	
01/11/2024	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David	
02/01/2024	 Motion Other Filed by: Appellate Attorney Melone, Thomas Michael; Appellant Chelsea Solar LLC; Appellant Allco Renewable Energy Limited; Appellant Apple Hill Solar LLC; Appellant PLH Vineyard Sky LLC <i>Motion to Stay</i>	Index # 3
02/09/2024	 Appellant's Brief Filed by: Appellate Attorney Melone, Thomas Michael; Appellant Chelsea Solar LLC; Appellant Allco Renewable Energy Limited; Appellant Apple Hill Solar LLC; Appellant PLH Vineyard Sky LLC <i>Word Count: 8,985</i>	
02/09/2024	 Printed Case Filed by: Appellate Attorney Melone, Thomas Michael; Appellant Chelsea Solar LLC; Appellant Allco Renewable Energy Limited; Appellant Apple Hill Solar LLC; Appellant PLH Vineyard Sky LLC	
02/20/2024	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone, Benjamin B Civiletti, Hannah Yindra</i>	
02/20/2024	 Entry Regarding Motion - Denied (Judicial Officer: Eaton, Harold E., Jr.) Motion #: 3	
02/20/2024	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David	
02/23/2024	 Motion to Extend Time or Continue Filed by: Appellate Attorney Civiletti, Benjamin B; Appellee Department of Public Service until April 10, 2024 to file AEBs.	Index # 4
02/28/2024	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone, Benjamin B Civiletti, Hannah Yindra</i>	

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02/28/2024	 Entry Regarding Motion - Granted (Judicial Officer: Cohen, William D.) Motion #: 4
02/28/2024	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David
04/10/2024	 Appellee's Brief Filed by: Appellate Attorney Golubock, David; Appellee Agency of Natural Resources <i>Word Count: 4850</i>
04/10/2024	 Supplemental Printed Case Filed by: Appellate Attorney Golubock, David; Appellee Agency of Natural Resources
04/10/2024	 Appellee's Brief Filed by: Appellate Attorney Civiletti, Benjamin B; Appellee Department of Public Service <i>Word Count: 7,968</i>
04/11/2024	Supplemental Printed Case Filed by: Appellate Attorney Civiletti, Benjamin B; Appellee Department of Public Service
04/17/2024	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone, Benjamin B Civiletti, Hannah Yindra, David Golubock</i>
04/17/2024	 Oral Argument Letter <i>Request due 4/29/2024</i>
04/17/2024	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David
04/24/2024	 Motion to Extend Time or Continue Filed by: Appellate Attorney Melone, Thomas Michael; Appellant Chelsea Solar LLC; Appellant Allco Renewable Energy Limited; Appellant Apple Hill Solar LLC; Appellant PLH Vineyard Sky LLC <i>until May 22, 2024 to file ARB.</i>
04/30/2024	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone, Benjamin B Civiletti, Hannah Yindra, David Golubock</i>
04/30/2024	 Calendar Sent to Parties
04/30/2024	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David
05/02/2024	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone, Benjamin B Civiletti, Hannah Yindra, David Golubock</i>
05/02/2024	 Entry Regarding Motion - Granted (Judicial Officer: Waples, Nancy J.) Motion #: 5

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05/02/2024	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David
05/20/2024	 Appellant's Reply Brief Filed by: Appellate Attorney Melone, Thomas Michael; Appellant Allco Renewable Energy Limited <i>Appellants' Reply Brief</i> <i>Word Count: 4499</i>
05/29/2024	5J Calendar On Briefs (12:30 PM) (Judicial Officer: Carroll, Karen R. ;Location: Supreme Court) MINUTES Considered on the Briefs <i>Panel: PLR/HEE/KRC/WDC/NJW</i> Hearing Held;
05/29/2024	Considered on the Briefs <i>Panel: PLR/HEE/KRC/WDC/NJW</i>
07/02/2024	 Supplemental Citation
07/24/2024	 Correspondence Filed by: Appellate Attorney Civiletti, Benjamin B; Appellee Department of Public Service <i>Response to Appellants' Notice of Additional Authority</i>
08/30/2024	Sent to Case Parties <i>Automated by RIS for SOP processing - James Porter III, Donald J. Einhorn, Thomas Michael Melone, Benjamin B Civiletti, Hannah Yindra, David Golubock</i>
08/30/2024	 Final Decision Written Opinion <i>Panel: PLR/HEE/KRC/WDC/NJW;</i> <i>Author: Reiber;</i> <i>Mandate: Affirmed.;</i> <i>Public Domain: 2024 VT 58</i>
08/30/2024	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David
09/20/2024	 Case Closed
09/20/2024	 Mandate Letter
09/20/2024	Notice to Parties Recipients: Appellate Attorney Porter, James, III; Appellate Attorney Einhorn, Donald J.; Appellate Attorney Melone, Thomas Michael; Appellate Attorney Civiletti, Benjamin B; Appellate Attorney Yindra, Hannah; Appellate Attorney Golubock, David