

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 24-2797-PET

Petition of Vermont Renewable Gas, LLC for a certificate of public good, pursuant to 30 V.S.A. § 248(j), to construct and operate a 2.2 MW generation facility in Lyndon, Vermont	
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Order entered: 10/18/2024

ORDER ADDRESSING INTERVENTIONS

I. INTRODUCTION

This case concerns a petition filed by Vermont Renewable Gas, LLC (“VRG”) requesting a certificate of public good (“CPG”), under 30 V.S.A. § 248j, to construct and operate a 2.2 MW generation facility in Lyndon, Vermont (the proposed “Facility”).

On September 3, 2024, Commission staff issued a memorandum determining that the petition was administratively complete.

A deadline of October 7, 2024, deadline was established to submit comments on the question of whether the petition raises a significant issue with respect to the substantive criteria of 30 V.S.A. § 248.

Today’s Order addresses pending notices of intervention and motions to intervene. The Commission received several public comments and intervention filings requesting review under the full procedures of 30 V.S.A. § 248, with an opportunity for public hearing. On October 16, 2024, VRG filed a response. The review under Section 248 will be addressed in a separate order.

II. NOTICES OF INTERVENTION

On September 13, 2024, Town of Lyndon Electric Department (“LED”), the interconnecting utility, filed a notice on intervention.¹ LED seeks to participate on the following criteria: Section 248(b)(3) (system stability and reliability) and Section 248(b)(10) (transmission facilities). Pursuant to Commission Rules 2.209(C) and 5.409(7), LED is granted party status

¹ The notice was styled as a motion pursuant to Commission Rule 2.209(A). However, the filing contains the information required by Rule 5.409 and therefore, I have treated the filing as a notice of intervention under that rule. Commission Rule 5.409 states that the provisions of Commission Rule 2.209(C) apply to certain notices of intervention. Therefore, when applicable, I have limited interventions granted pursuant to Rule 5.409 to the issues identified in the respective notices of intervention.

limited to the criteria identified in its filing.

On September 23, 2024, John Ling, an adjoining landowner, filed a notice of intervention, and on October 7, 2024, supplemented the intervention notice. Ling seeks to participate on the following criteria: Section 248(b)(1), orderly development, and Section 248(b)(5), aesthetics, historic sites, air and water purity, the natural environment, and public health and safety. Pursuant to Commission Rules 2.209(C) and 5.409(8), Ling is granted party status limited to the criteria identified in his filings.

On September 24, 2024, the Town of Lyndon filed a notice of intervention. The Town of Lyndon seeks to address the following issues: orderly development of the region, traffic, noise, and air pollution. Pursuant to 30 V.S.A. § 248(a)(4)(H) and Commission Rule 5.409(2), the Town of Lyndon is granted party status.

On September 24, 2024, the Town of St. Johnsbury filed a public comment requesting party status. Pursuant to 30 V.S.A. § 248(a)(4)(H) and Commission Rule 5.409(3), the Town of St. Johnsbury is granted party status. Pursuant to Rule 2.201, the representative for the Town of Saint Johnsbury is directed to file a notice of appearance in ePUC.

On October 7, 2024, Ernest and Madeline Hastings, adjoining landowners, filed a notice of intervention. The Hastings seek to participate on the following criteria: Section 248(b)(1), orderly development, and Section 248(b)(5), aesthetics, historic sites, air and water purity, the natural environment, and public health and safety. Pursuant to Commission Rules 2.209(C) and 5.409(8), the Hastings are granted party status limited to the criteria identified in their filing.

III. MOTIONS TO INTERVENE

On October 4, 2024, Conservation Law Foundation (“CLF”) filed a motion to intervene. On October 9, 2024, Steve Dolgin, a nearby property owner, filed a motion to intervene. The deadline for responses to CLF’s and Steve Dolgin’s motions is Friday, October 25, 2024.

SO ORDERED.

Dated at Montpelier, Vermont, this 18th day of October, 2024.



Mary Jo Krolewski
Hearing Officer

OFFICE OF THE CLERK

Filed: October 18, 2024

Attest:  _____
Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

PUC Case No. 24-2797-PET - SERVICE LIST

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^Motion to Intervene pending.