

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 23-0249-PET

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Petition of Chelsea Solar LLC, pursuant to 30 V.S.A. § 248, for a certificate of public good authorizing the installation and operation of a 2 MW solar electric generation facility in Bennington, Vermont	
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Order entered:11/20/2024

**PROCEDURAL ORDER DENYING MOTION FOR EXTENSION OF DEADLINE**

On November 20, 2024, Chelsea Solar LLC (“Petitioner”) filed a motion in the above-captioned proceeding requesting a two-week extension to file its reply to the Town of Bennington’s response to the Petitioner’s Motion to Compel due November 22, 2024.

Commission Rule 2.207(C) states, “Absent extraordinary circumstances, any motion to extend a deadline must be filed at least 3 days before the deadline and must set forth good cause why the extension should be granted.”

We must first analyze whether the motion was timely filed. The rule requires that “motions to extend must be filed at least 3 days before the deadline.” Three days before the November 22, 2024, deadline would have been November 19, 2024. Under Commission Rule 2.207(A), “All filings (including electronic filings) must be submitted by 4:30 P.M. on a date that the Commission is open for business to count as being filed on that date.” According to ePUC, the Commission’s electronic filing system, the motion was filed at 6:23 P.M. on November 19, 2024. Therefore, according to the Commission’s rules, because the motion was filed after 4:30 P.M. on November 19, 2024, it is considered filed on November 20, 2024, and therefore was not timely filed. Additionally, the Petitioner did not provide any explanation or justification for the late filing and thus, no extraordinary circumstances exist to excuse the late filing. Further, not only has the Petitioner previously been made aware of the Commission’s filing rules in this case, but the Petitioner has also been cautioned in other cases before the

Commission, “to pay close attention to deadlines established in our orders and take seriously the potential ramifications for inattention in the future.”<sup>1</sup>

To grant an extension of time under Commission Rule 2.207(C), a motion must be timely filed *and* the motion “must set forth good cause why the extension should be granted.” Because the Petitioner did not satisfy the timeliness requirement, the request for a two-week extension is denied, and I need not address whether good cause exists.

**SO ORDERED.**

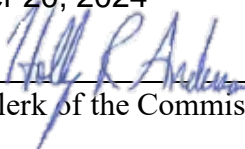
Dated at Montpelier, Vermont, this 20th day of November, 2024.



Elizabeth Schilling, Esq.  
Hearing Officer

OFFICE OF THE CLERK

Filed: November 20, 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](mailto:puc.clerk@vermont.gov))*

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<sup>1</sup> *Petition of Otter Creek Solar LLC, requesting a certificate of public good, pursuant to 30 V.S.A. § 248, authorizing the installation and operation of the “Warner Solar Project,” a 2.2 MW solar electric generation facility in Bennington, Vermont, Case No. 19-0516-PET, Order of 3/14/24 at 4.*

PUC Case No. 23-0249-PET - SERVICE LIST

Parties:

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\*Notice of appearance to be filed.