

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."

The Agency of Agriculture Food and Markets (AAFM) motion must be denied as it presented no extraordinary circumstances, it was not filed at least three days before the deadline, and all parties have already had an extension.

The AAFM VERMONT REQUIRED AGRICULTURAL PRACTICES RULE specifically excludes trees grown for silvicultural or timber purposes in the definition of *fiber*:

2.10 Crop and Cropland, for the purposes of this rule, means: (a) plants grown for food, feed, fiber (other than trees grown for silvicultural or timber purposes)....

https://agriculture.vermont.gov/sites/agriculture/files/documents/RAPFINALRULE12-21-2018_WEB.pdf

VEPP was wrong to conclude that the VRG facility is eligible to participate in the Standard Offer Program as a Farm Methane Facility. The methane that Vermont Renewable Gas proposes to burn is not "methane derived from an agricultural operation." The agricultural operation is the harvesting of biomass. This operation does not create methane. The methane is derived from the pyrolysis process itself and absent this pyrolysis process, very little methane would be produced by the slow aerobic decomposition of the woody biomass.

There is no recognition of the greenhouse gases emitted from the combustion of methane, there is no information about the emissions related to the remaining 49% of biomass burned, which might not meet the definition "renewable," nor is there an explanation of the missing 7% of the gas recovered by the HTAP process.