

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 24-2945-PET

Petition of VT Real Estate Holdings 2 LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, authorizing the installation and operation of a 20 MW solar electric generation facility in Fair Haven, Vermont	
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Order entered: 03/10/2025

SCHEDULING CONFERENCE ORDER

I. INTRODUCTION

This case involves a petition filed by VT Real Estate Holdings 2 LLC (“Fair Haven Solar” or “Petitioner”) with the Vermont Public Utility Commission (“Commission”) requesting a certificate of public good (“CPG”) under 30 V.S.A. § 248 authorizing the construction and operation of a 20 MW solar electric generation facility in Fair Haven, Vermont (the proposed “Facility”). In this order, the Commission adopts a schedule for the proceeding and addresses the intervention of William Bischoff.

II. SCHEDULE

On February 13, 2025, the Commission held a scheduling conference in this matter. Appearances were entered by Victoria M. Westgate, Esq., Geoffrey Hand, Esq., and Zachary Berger, Esq., SRH Law PLLC, on behalf of the Petitioner; Matthew Bakerpoole, Esq., on behalf of the Vermont Department of Public Service (“Department”); and Donald J. Einhorn, Esq., on behalf of the Vermont Agency of Natural Resources (“ANR”). In addition, the scheduling conference was attended by Annette Smith of Vermonters for a Clean Environment.

At the scheduling conference, the parties discussed a proposed procedural schedule for this case, including potential dates and times for a site visit and public hearing. Prior to the scheduling conference, on February 10, 2025, the Petitioner filed a proposed procedural schedule for this case. At the scheduling conference, the Department and ANR consented to the proposed schedule, and the Petitioner represented that it has not received responses on the proposed schedule from any other entities. Due to difficulties in confirming availability of the Fair Haven

Grade School for the information session and public hearing, the proposed schedule has been modified by the Commission to reflect a later date for the public hearing. Therefore, we adopt the following schedule for the remainder of this case.¹

Date	Event
March 20, 2025	Informational session hosted by the Department and public hearing
March 24, 2025	Deadline to file motions to intervene
March 24, 2025	Non-petitioners serve first round of discovery requests on the Petitioner
March 31, 2025	Deadline to respond to motions to intervene
April 7, 2025	Non-petitioners reply to responses on motions to intervene
April 11, 2025	The Petitioner responds to the first round of discovery requests
April 18, 2025	Deadline to file a proposed itinerary for the site visit. If parties cannot agree to a unified proposed itinerary for the site visit, then separate proposals may be filed.
Month of May, 2025	Site visit
May 16, 2025	Non-petitioners serve the second round of discovery requests on the Petitioner
June 13, 2025	The Petitioner responds to the second round of discovery requests
July 16, 2025	Comment deadline for non-petitioners; the Petitioner and non-petitioners file stipulation(s) and associated testimony and exhibits (if any)
<i>If Matter is Not Contested by Any Party:</i>	
August 6, 2025	The Petitioner files proposed findings of fact, order, and CPG
<i>If Matter is Contested:</i>	

¹ “Non-petitioners” are all parties to this case other than the petitioner; non-petitioners include intervenors and statutory parties.

July 30, 2025	The Petitioner and non-petitioners file proposed schedule for remainder of litigation
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The information session and public hearing will be held on March 20, 2025, at the Fair Haven Grade School in the Library/Learning Center, which is located at 115 North Main Street in Fair Haven, Vermont. The information session, which will be hosted by the Department, will begin at 6:00 PM. The public hearing will begin at 7:00 PM.

At the scheduling conference, the Commission did not choose a date for a site visit due to concerns related to weather, site conditions, and site accessibility. The Clerk of the Commission will issue a separate notice for the site visit once it has been scheduled. The notice for the site visit will include instructions for attending.

If motions for summary judgment are filed in this case, then, consistent with Commission Rule 2.219(B) and unless different deadlines are established by the Commission, (1) responses are due 30 days after the motion is filed and (2) replies to any responses are due 14 days after the responses are filed. If motions to dismiss are filed in this case, then, consistent with Commission Rule 2.206(E), (1) responses are due 30 days after the motion is filed and (2) replies to any responses are due 14 days after the responses are filed.² For any other motions, then, consistent with Commission Rule 2.206(E) and unless different deadlines are established by the Commission, (1) responses are due 14 days after the motion is filed and (2) replies to any responses are due 14 days after the responses are filed. Consistent with Commission Rule 2.206(F), surreplies may only be filed with permission from the Commission.

Parties are reminded that documents submitted in pdf format should be in an “unlocked” format, i.e., searchable and extractable, rather than in an image format.

Members of the public interested in this proceeding may participate by submitting public comments or by intervening as a formal party to the case. Members of the public may also simply monitor the Commission’s actions in a specific case. Guidance on how to monitor, comment on, or actively participate in Commission proceedings is available in the document “Public Participation and Intervention in Proceedings before the Public Utility Commission,”

² Commission Rule 2.206(E) provides the Commission with discretion to set response and reply deadlines that differ from the 14 days normally provided by that rule.

which is available on the Commission's website at: <https://puc.vermont.gov/document/public-participation-and-intervention-proceedings-public-utility-commission>.

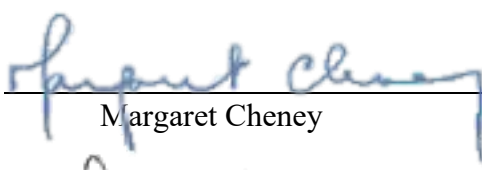
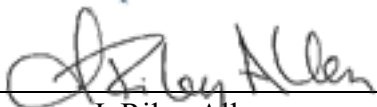
Pursuant to 30 V.S.A. §§ 20 and 21, the Petitioner will be responsible for court reporter costs incurred by the Commission during the course of this proceeding and billed back to the Petitioner.

III. INTERVENTION OF WILLIAM BISCHOFF

On February 12, 2025, a notice of intervention was filed by William Bischoff, an adjoining landowner to the Facility site. Mr. Bischoff's notice of intervention identified the following issues he is seeking to address as an intervenor: the need for present and future demand for service; economic benefit to the State; aesthetics, soil erosion, traffic and transportation, and waste disposal; the general good of the State; decommissioning requirements; minimum setback requirements; and requirements related to the installation and maintenance of aesthetic mitigation measures. The Commission acknowledges Mr. Bischoff's intervention and limits the scope of his intervention to those interests identified in his notice of intervention pursuant to Commission Rule 2.209(C).

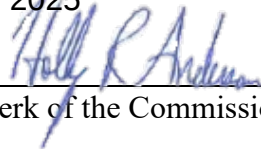
SO ORDERED.

Dated at Montpelier, Vermont, this 10th day of March, 2025.

 _____))	PUBLIC UTILITY
Edward McNamara)	
)	
 _____))	COMMISSION
Margaret Cheney)	
)	
 _____))	OF VERMONT
J. Riley Allen)	
)	

OFFICE OF THE CLERK

Filed: March 10, 2025

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. 24-2945-PET - SERVICE LIST

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