

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 24-2874-INV

Public Utility Commission's order establishing noncompliance grace period and providing guidance for meeting compliance filing obligations	
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Order entered: 04/21/2025

ORDER REGARDING END OF OVERDUE COMPLIANCE GRACE PERIOD

The Commission opened this case to establish a grace period for fulfilling overdue compliance filing obligations and to provide guidance to entities with compliance filing obligations. To encourage entities with overdue compliance filing obligations to come into compliance, the Commission established a six-month grace period during which time the Commission did not issue penalties for failure to make a compliance filing in a timely manner.¹

The overdue compliance filing grace period ended on March 13, 2025.

As we explained in the order establishing the grace period, the Commission is building a compliance page on our website where CPG holders and entities that are out of compliance will be listed by CPG number along with the installer/developer and representative/lawyer² associated with the case, if relevant. The Commission will issue orders in each case where compliance is overdue.³ Entities will remain on the webpage until they come into compliance. An entity is not in compliance until required filings have been made and the filings satisfy the underlying compliance requirements.

The website will go live on May 19, 2025.

Many of the Commission's compliance filing obligations are statutory requirements.⁴ The underlying intent of these compliance obligations is to protect the interests of the local

¹ The grace period did not apply to violations of CPG conditions or other 30 V.S.A. § 30 infractions unrelated to compliance filings.

² Attorneys who have entered a notice of appearance in a siting case are not relieved of their representation obligations upon issuance of a CPG. Unless the Commission has granted a request to withdraw and substitute counsel or a representative, the attorney of record remains for compliance purposes.

³ We will begin by issuing orders to and including on the website CPG holders with overdue compliance filings regarding decommissioning and aesthetics mitigation obligations.

⁴ See, e.g., 30 V.S.A. § 248(a)(5) ("The Commission shall adopt rules regarding standard conditions on postconstruction inspection and maintenance of aesthetic mitigation and on decommissioning to be included in

community and the broader state interest in our natural resources and public viewsheds. An entity's failure to comply with its regulatory obligations therefore constitutes a harm to the integrity and credibility of the regulatory process and the interests of the public. Thus, if an entity remains out of compliance, the Commission will pursue penalties pursuant to 30 V.S.A. § 30. As we explained, penalties imposed after the grace period for compliance filing violations can be expected to be significantly higher for compliance filing issues that could have been resolved during the grace period.

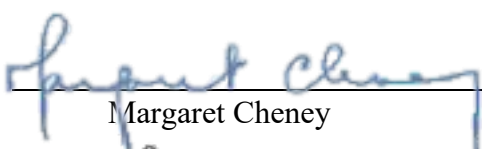
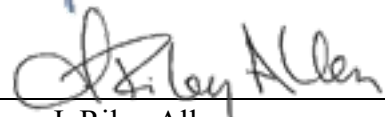
We also note that the overdue compliance grace period was for CPG holders with long-overdue compliance. It was not an opportunity for new CPG holders to ignore compliance obligations. Notwithstanding this purpose, the Commission will treat new CPG holders who came out of and back into compliance during the grace period the same as CPG holders who were out of compliance at the start of the grace period. Regardless of when a CPG holder came out of compliance, the Commission may include CPG holders who did not make required filings during the grace period on the noncompliance website and impose penalties for noncompliance.

The Commission will send this order to the Commission's email lists.

SO ORDERED.

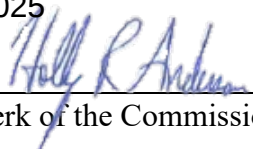
certificates of public good for in-state facilities approved under this section."); 30 V.S.A. § 248(a)(7) ("When a certificate of public good under this section or amendment to such a certificate is issued for an in-state electric generation or energy storage facility with a capacity that is greater than 15 kilowatts, the certificate holder within 45 days shall record a notice of the certificate or amended certificate, on a form prescribed by the Commission, in the land records of each municipality in which a facility subject to the certificate is located and shall submit proof of this recording to the Commission."); *cf.* Commission Rules 5.800, 5.900.

Dated at Montpelier, Vermont, this 21st day of April, 2025.

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

OFFICE OF THE CLERK

Filed: April 21, 2025

Attest: 

Clerk of the Commission

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PUC Case No. 24-2874-INV - SERVICE LIST

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(for Vermont
Department of Public
Service)

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PUC large email list