

**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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**AVERMENT 1:
CONFIDENTIAL DOCUMENTS AND INFORMATION
(May 1, 2025)**

A. Identification of Document or Information.

1. A System Impact Study for the Project prepared for ISO New England, Inc., dated February 28, 2019.

B. Degree of Confidential Information.

The ISO System Impact Study is labeled as potentially containing Critical Energy Infrastructure Information (“CEII”), and Petitioner VT Real Estate Holdings 2 LLC (“Fair Haven Solar” or “Petitioner”) has treated it as such. In addition to ISO New England’s rules regarding CEII, the Federal Energy Regulatory Commission (“FERC”) has defined CEII as “specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that: (1) Relates details about the production, generation, transportation, transmission, or distribution of energy; (ii) Could be useful to a person in planning an attack on critical infrastructure; (iii) Is exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C. 552; and (iv) Does not simply give the general location of the critical infrastructure.” 18 C.F.R. § 388.113. The ISO System Impact Study meets this definition.

C. Confidentiality Factors.

i. Extent Known Outside Company.

With respect to the ISO System Impact Study, Fair Haven Solar has taken all steps required by FERC regulations to restrict access to CEII materials. The referenced material is only known to ISO New England and Green Mountain Power as the interconnecting utility, the consultant who prepared the report for ISO-NE, Fair Haven Solar’s legal counsel, and its electrical engineering and other consultants who are bound by confidentiality agreements.

ii. Extent Information Known by Employees and Independent Contractors.

Only Fair Haven Solar employees and independent contractors involved in work on this Project have access to CEII and confidential materials as needed.

iii. Measures Taken to Guard Security.

This information is closely held by Fair Haven Solar and the other entities with access, all of whom are accustomed to handling confidential information. The information has been made available to a limited subset of employees on a need-to-know basis. In addition, Fair Haven Solar staff and its consultants understand that these materials cannot be disseminated to third parties and should be labeled and segregated from other files.

iv. Value of Information to Company and Competitors.

This criterion does not apply to CEII documents such as the ISO System Impact Study.

v. Amount of Money or Effort to Develop Information.

This criterion does not apply to CEII documents such as the ISO System Impact Study.

vi. Ease/Difficulty in Acquiring/Duplicating Information.

This criterion does not apply to CEII documents such as the ISO System Impact Study.

vii. Harm of Disclosure.

It is Fair Haven Solar's understanding that CEII information contains details about the location, status, and design of critical infrastructure that FERC has determined could present a national security risk.

D. Time Period.

The CEII information should remain under seal until it is deemed otherwise by ISO-New England.

E. Partial Disclosure or Redaction.

It is Fair Haven Solar's understanding that the entirety of the document is labeled potentially CEII and cannot be redacted.

F. Other Factors.

None.