

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of ER Dunsmore, LLC for a
Certificate of Public Good pursuant to 30
V.S.A. § 248, authorizing the installation
and operation of a 4.95 MW AC solar
electric generation facility off Dunsmore
Road in the Town of St. Albans, Vermont

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Case No. 25-____-PET

PREFILED DIRECT TESTIMONY OF TAEGEN KOPFLER

May 5, 2025

Summary: Ms. Kopfler’s testimony provides an overview of ER Dunsmore, LLC’s plans to install and operate a 4.95 MW AC solar electric generation facility located in St. Albans, Vermont (the “Project”). She also describes the proposed Project’s relationship to certain criteria set forth in 30 V.S.A. § 248: need for the project; system stability and reliability; economic benefits, public health and safety, air pollution, water conservation, sufficient water available, and burden on water supply; use of natural resources, greenhouse gas impacts; transportation systems; municipal services; educational services; historic sites; development affecting public investments; integrated resource plan; compliance with electrical energy plan; existing or planned transmission facilities; setbacks; and decommissioning plan and fund (Public Utility Commission Rule 5.900).

Exhibit List

DRS-TK-1	Resume
DRS-TK-2	Site Plan and USGS Map
DRS-TK-3	Representative Equipment Specifications
DRS-TK-4	One Line Diagram
DRS-TK-5	Interconnection Studies
DRS-TK-6	Sound Study
DRS-TK-7	Decommissioning Plan and Fund

1 **Q1. Please state your name, current employer, business address, and position.**

2 A1. My name is Taegen Kopfler, and I am Project Development Manager at Encore
3 Redevelopment, LLC d/b/a Encore Renewable Energy (“Encore”). My business address
4 is 50 Lakeside Ave, Suite 110, Burlington, Vermont, 05401. Encore is the sole member
5 of ER Dunsmore, LLC (“Petitioner” or “DRS”), and is developing the proposed Project.
6

7 **Q2. Please describe your educational background and work experience.**

8 A2. I have worked at Encore since 2022 where I have been developing approximately 76 MW
9 of commercial-scale and community solar and 10 MW of storage assets in Vermont and
10 Illinois. Prior to this role, I was a middle school science teacher at a private school in
11 New York City. My undergraduate degree is from Middlebury College in Physics with a
12 minor in French. My resume is attached as *Exhibit DRS-TK-1*.
13

14 **Q3. Who is the Petitioner and what is their address?**

15 A3. The Petitioner is ER Dunsmore, LLC, a Vermont limited liability company in good
16 standing. DRS’s business address is 50 Lakeside Avenue, Suite 110, Burlington, VT
17 05401.
18

19 **Q4. Have you previously testified before the Public Utility Commission (“Commission”
20 or “PUC”)?**

21 A4. Yes, most recently in the case of Essex A North Lot Solar, LLC in Case No. 24-1898-
22 PET.

1
2 **Q5. What is the purpose of your testimony?**

3 A5. My testimony supports DRS's Petition for a Certificate of Public Good ("CPG")
4 pursuant to 30 V.S.A § 248 with respect to the Petitioner's proposal to install and operate
5 a 4.95 MW AC ground-mounted solar electric generation facility off of Dunsmore Road
6 in St. Albans, Vermont (the "Project"). I provide a Project overview and specifically
7 address the following Section 248 criteria:

- 8 • (b)(2) need for the Project;
- 9 • (b)(3) system stability and reliability;
- 10 • (b)(4) economic benefit to the State and its citizens;
- 11 • (b)(5) public health and safety, air pollution (including sound); use of
12 natural resources, greenhouse gas impacts; water conservation, sufficient
13 water available, and burden on water supply; transportation systems/traffic;
14 educational services; municipal services; historic sites; development
15 affecting public investments;
- 16 • (b)(6) integrated resource plan;
- 17 • (b)(7) compliance with electrical energy plan;
- 18 • (b)(10) impact on transmission system;
- 19 • § 248(s) setback requirements; and
20 • decommissioning.

21 Witness Adam Crary will address certain environmental criteria including:
22 Section 248(b)(5) natural environment criteria, including: water pollution, headwaters,

1 floodways, streams, shorelines, wetlands, rare and irreplaceable natural areas, and
2 necessary wildlife habitat and endangered species, and (b)(8) outstanding resource
3 waters. Witness Stephanie Wyman’s testimony will address the Project’s compliance
4 with Section 248(b)(5) with respect to waste disposal, soil erosion, and primary
5 agricultural soils. Witness Jeremy Owens will address Section 248(b)(1) orderly
6 development and municipal screening and Section 248(b)(5) aesthetics, including
7 landscape mitigation pursuant to Commission Rule 5.800. Finally, witness Britta Tonn
8 will address Section 248(b)(5) above-ground historic resources.

9
10 **Project Description and Overview**

11 **Q6. Please generally describe the proposed Project.**

12 A6. DRS proposes to install and operate the Project on approximately 30 acres of a 114-acre
13 parcel off Dunsmore Road in St. Albans, VT (the “Property”). The Property is currently
14 undeveloped and contains farm fields. The Petitioner has rights to lease the proposed
15 Project area from the landowner. The location was selected as part of an effort to identify
16 sites with high potential for solar development related to physical location, suitability for
17 solar development, reduced visibility from surrounding public and private viewpoints,
18 and certain circuit interconnection requirements.

19 DRS will sell the electrical output from this facility to Green Mountain Power
20 (“GMP”) under a Power Purchase Agreement (“PPA”).

21

1 **Q7. Please generally describe the site plan and specific Project equipment.**

2 A7. The Project consists of approximately 12,425 non-reflective photovoltaic modules
3 installed on single axis trackers in rows running north-south. Please see ***Exhibit DRS-***
4 ***TK-2*** for a site plan. Panels will be approximately 12-15 feet off the ground at their
5 highest point. Please refer to ***Exhibit DRS-TK-3*** for typical equipment specifications for
6 the Project. The final site design and equipment selection will occur post-permit issuance
7 based on availability; however the design and equipment will be materially similar to
8 what is shown in ***Exhibits DRS-TK-2*** and ***DRS-TK-3***.

9 Electricity will run from the panels in direct current (DC) to a network of string
10 inverters which are UL 1741-SA compliant before being converted to alternating current
11 (AC). Electricity will then run underground in protective conduit to switch-gear, which
12 will include the data acquisition system and other auxiliary equipment and the production
13 meter. From the array, electricity will run to two 2,500 kVA pad-mounted transformers
14 with secondary oil containment, one located in the middle of the array, and one located
15 near the Project entrance. From the transformer, the electricity will continue to run
16 underground for a portion beyond the fence line of the Project before transitioning
17 overhead to a series of eight (8) new approximately 35 to 40-foot-tall wooden utility
18 poles. The electricity will travel overhead along the poles to an existing pole where the
19 Project will interconnect to the GMP system. See ***Exhibit DRS-TK-2***. A one-line
20 diagram is provided in ***Exhibit DRS-TK-4***.

21 The Petitioner will own the transformer and underground power lines, whereas
22 GMP will own the new overhead line on the project host property. DRS will register any

1 underground electric lines owned or controlled by the Project with Dig Safe and comply
2 with Commission Rule 3.800 for the lifetime of the Project. Further, DRS does not
3 object to including a condition in the CPG requiring these steps.

4 In addition to the Project infrastructure within the Project fenceline, a gravel
5 wetland will be added to the site to the southeast of the Project entrance and turnaround
6 area. The stormwater system is further described in the testimony and exhibits of
7 Stephanie Wyman.

8
9 **Q8. Does the Project require any distribution line upgrades?**

10 A8. Yes. As described below, the System Impact Study for the Project identified several
11 miles of existing distribution line that will require upgrades. Approximately 2,500 feet of
12 line on Dunsmore Road will be upgraded to three-phase line, and approximately 20,000
13 feet of existing three-phase line along Lower Newton Road will be reconductored. The
14 upgrade route has been reviewed for natural resources by VHB, as discussed further in
15 the testimony and exhibits of Adam Crary, and a map of the upgrade route is provided
16 with Mr. Crary's materials in *Exhibit DRS-AC-3*.

17
18 **Q9. Is the Petitioner aware of any other solar electric generation facilities that are**
19 **existing, approved, proposed, or planned on the same parcel of land as the Project**
20 **or on any adjoining parcels to the Project site? If so, please describe.**

1 A9. No, there are no other solar facilities on the Project parcel and DRS is not aware of any
2 other solar projects that are existing, approved, proposed or planned on any adjoining
3 parcels.

4
5 **Q10. How will the Petitioner and other authorized personnel access the Project?**

6 A10. The Petitioner will widen, re-align and improve approximately 1,550 feet of an existing
7 access driveway off Dunsmore Road to provide access to the solar site. DRS will extend
8 the drive approximately 1,250 feet into the middle of the Project area and add two
9 turnaround areas. See *Exhibit DRS-TK-2*.

10
11 **Q11. Will the Project involve any vegetative clearing?**

12 A11. Yes, a small amount of vegetative clearing (approximately 0.2 acres) will be required for
13 the improvements to the access road.

14
15 **Q12. Please describe the upgrades to the existing access road that are proposed.**

16 A12. The existing farm drive runs from an entrance off Dunsmore Road through the open field
17 to roughly where the Project entrance is proposed, and will be extended by approximately
18 1,250 feet. See Site Plan, *Exhibit DRS-TK-2*. A portion of the existing drive will need
19 to be shifted slightly to make room for stormwater simple disconnection infrastructure,
20 and the other portions of the existing drive will be graded, stabilized, raised, and widened
21 to 16 feet in some places (*Exhibit DRS-TK-2*, Sheet C2.01) so as to accommodate both
22 construction traffic and the stormwater infrastructure. The entrance at Dunsmore Road

1 will also need to be stabilized and temporarily widened for construction. Simple
2 disconnection stormwater infrastructure will be added to the sides of the road, as
3 discussed further in the testimony and exhibits of Stephanie Wyman. In addition, a
4 bridge crossing will be constructed where the road crosses Jewett Brook. The existing
5 culverts in the road will be removed for this crossing, which is detailed on sheets SP-1-
6 PR-1 of *Exhibit DRS-TK-2*. Site details for the access road and stabilized construction
7 exit are provided on Sheets C-6.01-C6.06.

8 Following construction of the Project, the improved access road will continue to
9 be used for access to the fields south of the Project area so that these fields can continue
10 to be farmed.

11
12 **Q13. Does the Petitioner propose to install a fence? If so, please describe.**

13 A13. Yes. The Petitioner proposes to install an approximately 8' high agricultural style wire-
14 knot perimeter fence with approximately 6"x 6" vertical and horizontal spacing affixed to
15 driven fence posts around the array. The perimeter fencing would secure the Project and
16 prevent the public from entering the array. This fence satisfies the requirements of
17 electrical codes pertaining to project enclosure. The Petitioner will install a gate near the
18 southwestern edge of the array, which will be locked. The Petitioner, GMP, and first
19 responders will be provided with access through the gate. *Exhibit DRS-TK-3* includes a
20 fence specification sheet, which is representative of the fence to be specified in the final
21 design phase.

1 **Q14. Will the Project require grading?**

2 A14. Yes, grading will be required for the access road reinforcement and construction work. A
3 grading plan is provided with the site plan details. See sheets C4.01-C4.06, *Exhibit*
4 *DRS-TK-2*. A small amount of the access road grading will temporarily extend onto the
5 adjoining parcel to the south of the Project. Petitioner has discussed this work with the
6 adjoining landowner, who currently uses the existing drive entrance and will benefit from
7 the proposed improvements. The adjoining landowner has given Petitioner permission for
8 this work.

10 **Q15. Is the Petitioner proposing a lighting plan for the Project?**

11 A15. No, the Petitioner does not require lighting and thus does not propose a lighting plan for
12 the Project.

14 **Q16. Will the Project require installing any components with oil?**

15 A16. Yes. The Project includes two 2,500 kVA pad-mounted transformers that will use a
16 biodegradable dielectric fluid. The Site Plan (*Exhibit DRS-TK-2*) shows the location of
17 the proposed transformers and Sheet C6.03 includes specifications for a secondary
18 containment system that will surround the transformer. The containment system will be
19 sufficient to hold a minimum of 110% of the transformer coolant volume plus five inches
20 of freeboard. Ms. Wyman's testimony and memo provide further details regarding waste
21 disposal.

1 **Q17. Please explain the proposed construction process and schedule.**

2 A17. Petitioner hopes to have the Project in service no later than March of 2027. Construction
3 activities, which will span over a 5–6-month duration, primarily include: (1) preparation
4 of the site and installation of the staging area, (2) installation of racking and panels, (3)
5 installation of inverters and electrical connections, and (4) installation of transformers
6 and network upgrades. Many of these tasks can be performed concurrently over the 5-6-
7 month construction schedule.

8 Construction activities and related deliveries will be limited to 7:00 A.M. - 7:00
9 P.M. on weekdays, 8:00 A.M. - 5:00 P.M. on Saturdays, and no construction on Sundays
10 or state or federal holidays.

11
12 **Q18. What are the Project’s operation and maintenance activities?**

13 A18. Once the Project is fully commissioned, operations and maintenance activities will be
14 minimal. DRS will perform routine system performance one to two times per year, which
15 will consist of vegetation management and mechanical and electrical inspections. DRS
16 will remotely monitor operations, and in the event of a system malfunction, personnel
17 will visit the site for troubleshooting or repairs.

18
19 **Q19. How will the energy generated by the Project be used?**

20 A19. DRS plans to sell the power from the Project to GMP under a long-term Power Purchase
21 Agreement (“PPA”).
22

1 **Q20. Who will retain ownership of the environmental attributes?**

2 A20. DRS expects that the environmental attributes generated from the Project will be
3 allocated to GMP under the PPA.
4

5 **Q21. Please describe any community outreach efforts undertaken by the Petitioner with**
6 **respect to the Project.**

7 A21. Petitioner has met with both the Town of St. Albans Selectboard and the Regional
8 Planning Commission to provide information about the proposed project and to answer
9 questions.
10

11 **Q22. Please describe any substantive written comments received by Petitioner in response**
12 **to the 45-day notice letter and any other public outreach related to the Project, and**
13 **how DRS has responded to these comments.**

14 A22. A 45-day notice filed on ePUC and mailed to all required notice parties under PUC Rule
15 5.400, including adjoining landowners, on December 19, 2024. DRS received the
16 following comments in response to the 45-day letter:

- 17 • DRS received written general comments on the letter from Vermont
18 Agency of Agriculture, Food & Markets (“AAFM”), stating AAFM’s
19 standard requests for information in a Section 248 Petition. As discussed
20 in the testimony and exhibits of Ms. Wyman and reflected on the Site
21 Plan, the presence of mapped primary agricultural soils is indicated and
22 Ms. Wyman addresses potential impacts to those soils as well as the

1 proposed remediation measures consistent with the requirements of
2 AAFM's Act 250 Reclamation Guidelines.

3 DRS also received written comments from the Vermont Agency of Natural Resources
4 ("ANR") requesting some updated wetland delineation work and noting the potential for
5 grassland bird habitat. ANR requested that Petitioner provide information on the history
6 of management of the Project site for the past five years and the field's current condition,
7 as well as potentially a grassland bird survey. These items are addressed in the testimony
8 and exhibits of Adam Crary.

- 9 • The NRPC reached out to DRS via email with some specific questions
10 following the 45-day notice, asking whether the applicant will be
11 providing a screening plan with the full application and whether the
12 applicant will be providing a decommissioning plan with the full
13 application. DRS responded to each question during the January 8th, 2025
14 NRPC meeting, and has also addressed these topics in the Petition
15 materials.

16
17 **SECTION 248 CRITERIA**
18 **Need for the Project**
19 **(30 V.S.A. § 248(b)(2))**

20 **Q23. Is the Project required to meet the need for present and future demand for service**
21 **which could not otherwise be provided in a more cost-effective manner through**
22 **energy conservation programs and energy efficiency measures and load**
23 **management?**

1 A23. Yes. DRS expects to enter into a PPA with GMP for the power to help GMP meet its
2 renewable energy goals and requirements under Vermont’s Renewable Energy Standard
3 for utilities. The Project will also help meet demand for new renewable energy generation
4 in Vermont and assist in meeting the renewable energy goals in the Vermont
5 Comprehensive Energy Plan (“CEP”), which sets a goal of obtaining 90 percent of the
6 state’s total energy needs from renewable sources by 2050. Among the electric sector,
7 the CEP sets a goal of meeting 100% of energy needs from carbon-free resources by
8 2032, with at least 75% from renewable energy. The Project will contribute towards
9 meeting these state goals.

10
11 **System Stability and Reliability**
12 (30 V.S.A. § 248(b)(3))

13 **Q24. Will the Project adversely affect system stability and reliability?**

14 A24. No. A System Impact Study (“SIS”) was completed for the Project on March 2, 2022 and
15 is provided in *Exhibit DRS-TK-5*. The SIS included an evaluation of the following items:
16 a steady state load flow analysis, time series analysis, protection evaluation, and
17 verification of compliance with standards. The SIS confirmed that the proposed
18 interconnection of the Project complies with all applicable standards, provided that
19 recommendations in the study are met. These recommendations are set out on pages 21-
20 23 of the SIS and include a requirement to upgrade and reconductor sections of the
21 existing distribution lines in the area, replace certain regulators, and install several new
22 reclosers, fuses, and a sectionalizer. A Facilities Study has been completed to estimate the
23 cost of required Project upgrades, and is also provided in in *Exhibit DRS-TK-5*.

With respect to the distribution line upgrades, approximately 2,500 feet of one-phase line along Dunsmore Road will be upgraded to three-phase line. Additionally, approximately 20,000 feet of reconductoring upgrade work will take place along the existing, mostly roadside, distribution line on Lower Newton Road. DRS understands from GMP that pole replacements will be required along the route, but that any replacement poles will be located in the same area as the existing pole. See Distribution Line Upgrade Map provided in ***Exhibit DRS-AC-3***. DRS has reviewed the proposed upgrade corridor for potential natural resource impacts, as further discussed by Mr. Crary and addressed in ***Exhibit DRS-AC-3***.

The Petitioner has entered into an interconnection agreement with GMP, and prior to construction the Petitioner will pay for all required upgrades to interconnect the Project, which will be implemented prior to operation. As the upgrades will be completed prior to interconnection of the Project, the Project will not have an undue adverse impact on system stability or reliability.

Economic Benefit to the State and its Residents

30 V.S.A. § 248(b)(4)

Q25. Please describe the economic benefits of the Project to the State and its residents.

A25. The Project will provide a range of economic benefits for the State and its residents, including the provision of locally-produced renewable energy under a long-term power purchase agreement with GMP that will also help GMP meet its obligations under Vermont's Renewable Energy Standard. In addition, during the design and development phases, the Petitioner has hired many Vermont and regional firms to work on the

1 environmental, aesthetic, archaeological, legal, engineering, and permitting Project
2 components. Additional electricians and workers will be needed during Project
3 construction, as well as during the ongoing maintenance and operation of the Project.

4 The Project will make lease payments to the landowner of the parcel on which the
5 Project will be located. Once operational, the Project will also pay annual municipal
6 property taxes to the Town of St. Albans, as well as an annual Uniform Capacity Tax to
7 the state as required under 32 V.S.A. § 8701. The revenue generated by this tax will go
8 into the statewide education fund. With the proposed AC capacity of the Project at 4,950
9 kW, at the current Uniform Capacity Tax rate of \$4.00 per kW AC the Project will pay
10 \$19,800 per year into the statewide education fund. Over a 25-year term, DRS estimates
11 that the Project will pay approximately \$495,000 in Uniform Capacity Tax to the
12 statewide education fund, separate and additional to the municipal taxes that the Project
13 will pay to the Town of St. Albans.

14 For these reasons, the Project will result in economic benefits to the State and its
15 residents.

16
17 **Public Health and Safety**
18 **(30 V.S.A. § 248(b)(5))**

19 **Q26. Will the Project have any adverse effects on the health, safety, or welfare of the**
20 **public or adjoining landowners?**

21 A26. No. The Project will not adversely impact the public health and safety for the following
22 reasons: (1) all work will be performed in accordance with the National Electrical Safety
23 Code and National Electric Code; (2) a perimeter fence around the site will ensure that

1 the site is secured and identified with appropriate electrical warning signs; and (3) the
2 Project will use anti-reflective coating on panels to reduce the potential for glare.
3

4 **Air Pollution**
5 (30 V.S.A. § 248(b)(5))

6 **Q27. Will this Project result in undue adverse effect on air quality?**

7 A27. No, the Project will not involve any industrial/manufacturing emissions, excessive dust or
8 smoke during construction, dust or noise from blasting, odors, or excessive noise from
9 construction activity. Moreover, the proposed Project will help reduce the need for
10 carbon-based sources of electric energy, contributing to improved air quality.
11

12 **Q28. Please explain any potential noise impacts from the Project.**

13 A28. DRS has hired Krebs & Lansing (K&L) to estimate sound emissions from the electrical
14 equipment that will generate noise, and to model sound propagation to assess levels at the
15 closest residences and property lines. Please see K&L's sound assessment at ***Exhibit***
16 ***DRS-TK-6***. The model includes conservative assumptions, including that all tracker
17 motors are running at the same time at maximum sound levels and into the nighttime
18 hours. With these conservative assumptions, the assessment concludes that the Project's
19 highest modeled sound pressure level at a residence is 40 dBA (daytime) and 39 dBA
20 (nighttime) at the nearest residence.
21

1 **Q29. Will the noise produced by the proposed Project create an undue adverse effect?**

2 A29. No, the noise levels calculated at the nearest residence and property line are comparable
3 to sound levels in a quiet rural area and I understand that these levels are at or below
4 other solar projects that have been approved by the Commission. As a result, the Project
5 will not have an undue adverse impact for neighbors to the Project.
6

7 **Use of Natural Resources**
8 (30 V.S.A. § 248(b)(5))

9 **Q30. Will the Project have an undue adverse effect with respect to the use of natural**
10 **resources?**

11 A30. No. The Project will use passive solar energy to produce electricity that local consumers
12 may utilize to power their homes and businesses. Although the Project will require some
13 minor vegetative clearing around the access road, the amount is very small (0.2 acres),
14 and the Project will not have an undue adverse effect on these resources or other natural
15 resources reviewed under Section 248. See Mr. Crary's testimony for additional analysis
16 of impacts to environmental resources.
17

18 **Greenhouse Gas Impacts**
19 (30 V.S.A. § 248(b)(5))

20 **Q31. Will Project construction or Project operation produce any undue air pollution or**
21 **greenhouse gas impacts?**

22 A31. No. Other than minor temporary emissions during construction, the Project will not emit
23 greenhouse gases. More specifically, DRS estimates that the Project's solar panels will
24 annually produce up to 10,025 (+/-) megawatt hours of electricity without creating any

1 greenhouse gas emissions during its operation. In fact, this Project will enable Vermont
2 to decrease its reliance on greenhouse gas-emitting electricity generation.

3
4 **Water Conservation, Sufficiency of Water, and Burden on Existing Water Supply –**
5 **10 V.S.A. § 6086(a)(1)(C), (a)(2), (a)(3)**

6 **Q32. Will the Project place an unreasonable burden on water supplies, raise any issues**
7 **with respect to sufficiency of water, or require any water conservation measures?**

8 A32. No. The Project will not require the use of water during the construction phase (unless
9 required for dust control). Any water that would be required for these limited activities
10 will be brought to the site. Therefore, the Project will not cause an unreasonable burden
11 on water supplies, will not raise any issues with respect to sufficiency of water, and will
12 not require any water conservation measures.

13
14 **Transportation Systems/Traffic**
15 **(10 V.S.A. § 6086(a)(5))**

16 **Q33. Will the Project cause unreasonable congestion or unsafe conditions with respect to**
17 **use of the highways, waterways, railways, airports or airways, and other means of**
18 **transportation existing or proposed?**

19 A33. No. The Petitioner proposes to deliver materials to the Project site via Dunsmore Road
20 and other state and local roads, which are accustomed to the type of traffic representative
21 of the proposed daily material delivery. The Project is not expected to require oversize or
22 overweight deliveries. The Project will not require road closures or lane shutdowns for
23 extended periods of time. No other long-term interruptions or impacts to highways or
24 local roads are anticipated.

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Educational Services
(10 V.S.A. § 6086(a)(6))

Q34. Will the Project place an unreasonable burden on the Town of St. Albans to provide educational services?

A34. No. The Project will not result in the addition of any students in the St. Albans school system or have any impact on the provision of education services.

Municipal Services
(10 V.S.A. § 6086(a)(7))

Q35. Will the Project need municipal services, including any special police, fire, or rescue services, place an unreasonable burden on the ability of the local government to provide municipal or governmental services, or would training be required?

A35. No. The Project will not require any municipal water or sewer services, new roadway acceptance or maintenance by the Town of St. Albans, nor require any fire or police services beyond those typically required of other businesses.

Q36. Will the first responders have access to the Project site in the event of an emergency?

A36. Yes, the Petitioner will provide first responders access to the Project site in the event of an emergency. A lockable disconnect switch will allow shutdown of the Project in case of fire or another emergency.

Historical and Archeological Sites
(30 V.S.A. § 248(b)(5) 10 V.S.A. § 6086(a)(8))

Q37. Will this Project have an undue adverse effect on below-ground or above-ground historic sites?

A37. No. The Project's potential for impacts on above-ground historic resources are addressed in the testimony and report of Britta Tonn, who confirms there will not be an undue adverse impact on any such resources.

With respect to below-ground historic resources, Petitioner has discussed the site with the Vermont Division for Historic Preservation ("VDHP") and has completed a Phase I Site Identification Survey on the majority of the Project site. Four previously unknown sites were identified in the Phase I survey. As a result, the Phase I survey recommended that Phase II subsurface testing be conducted on two of the areas and that limited Phase II investigation be undertaken at the other two sites to determine if they extended into the Project area. Those Phase II studies were concluded by UVM's Consulting Archaeology Program ("UVM CAP") in June 2024. Two of the sites were found not to be significant. For the other two sites, which are respectively located on the northern and southern boundaries of the Area of Potential Effects ("APE") reviewed by UVM CAP. UVM CAP recommended avoidance of these areas during Project construction and that a site "buffer" be established on project plans to ensure preservation of these sites. As depicted on the site plan, the Project will avoid both buffer zones.

In addition to these two buffer zones, VDHP has requested further investigation of one of the sites reviewed under the Phase II. This area is located within the center of the array. DRS will complete this further investigation once the weather allows, along

1 with a Phase I investigation of the small area where the gravel wetland is proposed to be
2 located. The design and location of this wetland were not finalized until recently and
3 therefore this area was not included in the initial APE for the Phase I archaeological
4 survey. This fieldwork will be completed by UVM this fall following harvest of the
5 crops growing on site.

6 DRS will take the following steps to ensure that the fieldwork is done in
7 coordination with VDHP and that any impacts to resources are avoided or sufficiently
8 mitigated to avoid any undue adverse impacts:

9 1. Petitioner will conduct these archaeological investigation(s) and prepare
10 related reports to identify, evaluate, and mitigate, if necessary, any further potential
11 impacts to archaeological sites within the Project area. Petitioner's archaeological
12 consultant will submit any scope of work to the VDHP for review and approval
13 before commencing the work.

14 2. Prior to the completion of all relevant archaeological investigations, the
15 Petitioner, in consultation with the VDHP, will identify the Project area as a not-
16 to-be-disturbed archaeological buffer zone. Topsoil removal, grading, scraping,
17 cutting, filling, stockpiling, logging or any other type of ground disturbance will be
18 prohibited within the archaeological buffer zones until all necessary archaeological
19 work is completed. Agricultural cultivation consistent with past practices to
20 facilitate the archaeological review will not constitute ground disturbance.

21 3. All relevant archaeological studies to identify, evaluate, or mitigate
22 impacts to archaeological sites will be carried out by a qualified consulting

1 archaeologist. All such studies and associated reports will follow the VDHP
2 *Guidelines for Conducting Archaeological Studies in Vermont* (2017). A digital
3 copy of the final report will be submitted to the VDHP. Any archaeological
4 reports submitted to the Public Utility Commission will have specific
5 archaeological site locational information redacted in accordance with 22 V.S.A. §
6 761(b) and 1 V.S.A. § 317(c) (20).

7 4. The archaeological investigations will be scheduled so that mitigation
8 measures, if any are determined to be necessary, can be satisfactorily planned and
9 accomplished prior to site preparation and construction of the Project. Any
10 archaeological sites within the Project area will not be impacted until mitigation
11 measures have been completed. Proposed mitigation measures will be approved by
12 the VDHP prior to implementation. Mitigation may include but is not limited to
13 further site evaluation, data recovery, or modification of the buffer zone
14 boundaries or the specific conditions that refer to the same.

15 5. Any changes to the Project that arise via compliance these conditions
16 and/or resulting from mitigation measures approved by VDHP will be subject to
17 requirements regarding substantial changes or material deviations pursuant to
18 Commission rule 5.408, including that any substantial changes must be approved
19 by the Commission.

20 These steps will ensure that reasonable mitigation measures that are necessary to
21 address any resources that may be found in an investigation, if any, are implemented
22 prior to construction of the Project. If any such mitigation measures involve substantial

1 changes to the Project, Petitioner will comply with applicable Commission Rule 5.400
2 requirements for such changes. With these steps, the Project will not result in undue
3 adverse impact to archaeological historic sites. DRS further expects to enter into a
4 memorandum of understanding with VDHP following the petition filing that will contain
5 the same commitments set forth above.

6
7 **Least Cost Integrated Resource Plan**
8 (30 V.S.A. § 248(b)(6))
9

10 **Q38. Is the Project consistent with the principles for resource selection expressed in an**
11 **approved least cost integrated plan?**

12 A38. DRS is not a retail distribution utility, and as such is not required to have an approved
13 least-cost integrated plan. This criterion is therefore inapplicable, consistent with the
14 Commission's approach to similar projects.¹

15
16 **Compliance with Vermont Electric Energy Plan**
17 (30 V.S.A. § 248(b)(7))
18

18 **Q39. Is the Project consistent with the 2022 Comprehensive Energy Plan (CEP)?**

19 A39. Yes. The Project will contribute to meeting the state's long-term renewable energy goals
20 because it is a renewable solar energy project that is located near load. The Project
21 furthers the key objectives of the CEP, which calls for meeting Vermont's long-term
22 energy needs largely with renewable resources. As noted above, among the electric
23 sector, the CEP sets a goal of meeting 100% of energy needs from carbon-free resources

¹ See, e.g., *In re ER Danyow Road Solar, LLC*, Case no. 22-3427-PET, Final Order at 37 (4/24/23).

1 by 2032, with at least 75% from renewable energy. The Project is consistent with the
2 CEP's thematic goals including affordability, in-state generation, diversity of supply, grid
3 resiliency, and low emissions. The Project will support the CEP's "goal of a secure and
4 affordable electric grid that can efficiently integrate, use, and optimize high penetrations
5 of distributed energy resources to enhance the state's resilience and reduce greenhouse
6 gas emissions." CEP 2022, page 13. The Project will also seek confirmation from the
7 Department of Public Service that the Project is compliant with the state energy plan,
8 pursuant to 30 V.S.A. § 202(f).

9
10 **Development Affecting Public Investments**

11 (10 V.S.A. § 6086(a)(9)(K))

12 **Q40. Will the Project unnecessarily or unreasonably endanger any public or quasi-public**
13 **investment in the facility, service, or lands, or materially jeopardize or interfere**
14 **with the function, efficiency, or safety of, or the public's use or enjoyment of or**
15 **access to, the facility, service or lands?**

16 A40. No. The Project will not endanger any public or quasi-public investments. There are no
17 public or quasi public investments on the Project sites, and the Project will not unduly
18 interfere with the public's use of the closest municipal road, Dunsmore Road, other than
19 through potential minor temporary traffic impacts during construction.

20
21 **Can Be Served Economically by Existing or Planned Transmission Facilities**

22 (30 V.S.A. § 248(b)(10))

23 **Q41. Can the Project be served economically by existing or planned transmission**
24 **facilities without undue adverse effect on Vermont utilities or customers?**

1 A41. Yes. As indicated in the SIS (*Exhibit DRS-TK-5*), the Project can interconnect safely to
2 the GMP distribution system, provided that certain upgrades are completed prior to
3 interconnection. As previously stated, the Project will not be interconnected until these
4 upgrades are completed and DRS will be responsible for all upgrade costs. The proposed
5 Project will not require any upgrades to the transmission system.
6

7 **Setbacks**

8 (30 V.S.A. § 248(s))

9 **Q42. Does the Project comply with minimum setbacks established under 30 V.S.A. §**
10 **248(s)?**

11 A42. Yes. The Project panels will be set back over 1,500 feet from the edge of the nearest road,
12 which is Lower Newton Road, and at least 50 feet from all boundary lines to adjoining
13 properties. The closest residence is over 800 feet from the Project. Please refer to
14 *Exhibit DRS-TK-2* for the specific setback distances from each property line.
15

16 **PUC Rule 5.900 Decommissioning Plan and Fund**

17 **Q43. Will the Project be decommissioned at the end of its useful life, with various system**
18 **components disposed of?**

19 A43. Yes. Once the Project has reached the end of its life and is no longer operating, Petitioner
20 will remove the Project and restore the site to its current condition to the greatest extent
21 practicable as required under PUC Rule 5.904(B). The Petitioner has developed a
22 Decommissioning Plan that would apply when the Petitioner decommissions the Project,
23 which is provided as *Exhibit DRS-TK-7*.

1
2 **Q44. Has the Petitioner proposed a decommissioning fund?**

3 A44. Yes, the Petitioner has provided an estimate of the Project's decommissioning costs that
4 does not account for equipment salvage in *Exhibit DRS-TK-7*. As required by PUC Rule
5 5.904(B), the decommissioning cost estimate is in present-day dollars and addresses the
6 elements in that rule. This estimate was developed by Encore, based on its decades of
7 collective experience in solar construction and maintenance costs, including the
8 development of many decommissioning plan estimates for other similar solar projects
9 that have been accepted by the Commission in Section 248 permitting proceedings.

10 DRS has also included proposed decommissioning fund supporting documents
11 with the decommissioning plan. The decommissioning fund for this Project will be in
12 place at the time construction begins. At this time, DRS plans to use a surety bond to
13 secure the decommissioning fund, which the Commission has previously determined to
14 be an acceptable form of alternative security in a certain form.² A draft form of surety
15 bond is included in *Exhibit DRS-TK-7*. Prior to commencing Project construction, the
16 Petitioner shall file and receive Commission approval of an executed bond or alternative
17 form of security such as an escrow agreement or letter of credit.

18
19 **Q45. Does this conclude your testimony?**

20 A45. Yes.
21

² See, e.g., *ER Danyow Road Solar, LLC, Case No. 22-3427-PET, Order of 3/5/25*.