

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 24-3571-PET

Petition of Reservoir Road Solar, LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, to construct and operate a 2.375 MW solar facility in Berkshire, Vermont	
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**VERMONT DEPARTMENT OF PUBLIC SERVICE COMMENTS ON THE PETITION
OF RESERVOIR ROAD SOLAR, LLC FOR A CERTIFICATE OF PUBLIC GOOD
PURSUANT TO 30 V.S.A. § 248**

On December 4, 2024, Reservoir Road Solar, LLC (“Petitioner”) filed a petition with the Vermont Public Utility Commission (“Commission”) pursuant to 30 V.S.A. § 248 for a Certificate of Public Good (“CPG”) to operate a 2.375 MW solar generation installation located at 620 Reservoir Road in Berkshire, Vermont (“Project”). Petitioner also requested a 30 V.S.A. § 202(f) determination by the Vermont Department of Public Service on the Project’s conformance with the Vermont Electric Energy Plan. The Department provides the following comments in support of the Project.

The Vermont Public Power Supply Authority (“VPPSA”) selected the Project through a competitive request for proposals (“RFP”) process. Electricity produced by the Project will be sold under a Power Purchase Agreement to VPPSA, which may then sell the electricity to the Village of Enosburg Falls Water & Light Department (“EFWLD”) under a Power Sales Agreement. The renewable attributes generated by the Project will be sold to EFWLD. Petitioner anticipates approximately 5.4 acres of tree clearing and up to 14.5 acres of impacted Primary Agricultural Soils. The Project also requires a temporary widening of the existing access road and the installation of a permanent turnaround area. The Project’s proposed site is split between a portion of property leased from Kim Wendling with the bulk of the site leased from EFWLD.

Based on its review of the Petition and prefiled testimony and exhibits, the Department concludes that the Project does not raise a significant issue with respect to the 30 V.S.A. § 248 criteria subject to the Department's review, including orderly development, need, system stability and reliability, economic benefit, aesthetics, public health and safety, municipal services, development effecting public investments, economic service by existing or planned transmission facilities, and compliance with the Vermont Electric Energy Plan and Commission Rule 5.900.

Based on a review of the Berkshire Municipal Plan and the Northwest Regional Plan in the context of the Project's setback waiver and siting adjutor, the Project will not interfere with the orderly development of the region.¹ Nor will the Project interfere with municipal services or public investments. Further, the Northwest Regional Planning Commission filed a public comment stating that the Project conforms with the regional plan.

Need for the Project is evident in its procurement through an RFP intended to result in new generation contributing to VPPSA's Renewable Energy Standard obligations.² The Vermont Electric Energy Plan and the State's emissions targets further implicate need for the Project.

The Project will not adversely affect system stability and reliability and can be served by planned or existing transmission facilities. Petitioner will pay for distribution upgrades needed to interconnect the Project with EFWLD and Petitioner will pay affected distribution utilities a grid adjutor fee of approximately \$30,000.³

¹ Exhibit RRS-SC-10 (discussing the siting adjutor deemed appropriate to compensate for additional generation resources in the capacity constrained area within the Sheffield-Highgate Export Interface ("SHEI") in a Memorandum of Understanding between Petitioner, Vermont Electric Cooperative, Green Mountain Power, and Washington Electric Cooperative discussing). Exhibit RRS-SC-8 (setback waiver pursuant to 30 V.S.A. § 248(s)(3)(B)); Exhibit RRS-MB-2 at 17, 20, 25.

² Carlson Pf. at 14-15.

³ *Id.* at 15-16; Exhibit RRS-SC-10 at 1.

The Project will provide economic benefits in supporting local jobs during construction, increasing the tax revenues, providing a site adjustor to impacted utilities, paying for distribution system upgrades, and providing low-cost renewable energy to EFWLD customers.⁴

The Project will not have an adverse impact on aesthetics.⁵ If identified, adverse aesthetic impacts would not be undue. The Project does not violate a clear written community aesthetics standard. The Project's aesthetic impacts are mitigated in that it screened from view by existing vegetation and the topology of the proposed site such that its aesthetic impact would not be shocking or offensive to a reasonable person.⁶

The Project will not negatively impact public health or safety.⁷ The Project will conform to the National Electric Code and National Electric Safety Code, will be surrounded by a perimeter fence with electrical warning signs, and will use a solar panel coating to reduce glare. Further, Petitioner asserts that it will register with Dig Safe for the portion of the Project's underground lines. To that end the Department recommends the following CPG condition:

In the event the CPG Holder owns and controls a portion of the underground primary voltage line that is located outside the Project fence line, as depicted on Exhibit RRS-SC-2 at C2.00, the CPG Holder shall register with Dig Safe and comply with 30 V.S.A. Chapter 86 and Commission Rule 3.8000 for the life of the Project.

Based on Petitioner's Revised Decommissioning Plan, the Department is satisfied that the Petition meets the Commission's decommissioning requirements pursuant to Rule 5.900.

At the time of this filing the Department was not aware of comments in opposition to the Project.

4 Carlson Pf. at 15, 23-25.

5 Exhibit RRS-MB-2 at 11, 18.

6 Exhibit RRS-MB-2 at 18.

7 Carlson Pf. at 7, 16-17.

Based on the foregoing, the Department respectfully recommends that the Commission issue the requested CPG, conditioned on Petitioner's participation in the Dig Safe program, without further hearings or investigation.

DATED at Montpelier, Vermont this 23rd day of May 2025.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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