

**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 solar electric generation facility in)	Docket No. 25-0895-PET
the Town of St. Albans, Vermont)	

MOTION TO INTERVENE

NOW COMES the Vermont Division for Historic Preservation (“VDHP”), by and through its counsel, pursuant to Vermont Public Utility Commission (the “Commission” or “PUC”) Rule 2.209 (B) and respectfully moves the Commission for permission to intervene in this proceeding. In support of the Motion, VDHP submits the following Memorandum of Law.

MEMORANDUM OF LAW

VDHP, part of the Department of Housing and Community Development within the Agency of Commerce and Community Development, is the relevant state entity responsible for reviewing matters concerning historic sites arising under 30 V.S.A. § 248(b)(5) and under Section 106 of the National Historic Preservation Act.

PUC Rule 2.209(B) provides:

Permissive intervention. Upon timely application, a person may be permitted to intervene in any proceeding (1) when a statute or Commission rule confers a conditional right to intervene, or (2) when an applicant’s claimed interest shares a question of law or fact in common with the matters that must be resolved in the proceeding. In exercising its discretion, the Commission must consider whether intervention will unduly delay the proceeding or prejudice the interests of existing parties or of the public.

VDHP has substantial interests which may be affected by the outcome of this proceeding. VDHP's interests will not be adequately protected by any other party to this proceeding, and VDHP has no other way to protect its interests at stake in this proceeding.

VDHP acknowledges the date for submission of Motions to Intervene has passed. VDHP missed the deadline due to an internal clerical error. VDHP has been in communication with Petitioner during the Advanced Notice period and throughout the case and has been working toward appropriate steps to protect historic interests. VDHP has consulted with Petitioner, and Petitioner consents to VDHP's intervention.

Therefore, VDHP's intervention will not unduly delay the proceeding or prejudice the interests of any existing party or the public.

For the foregoing reasons the Commission grant VDHP's permissive intervention pursuant to PUC Rule 2.209(B).

DATED at Montpelier, Vermont, this July 9, 2025.

/s/ Maxwell Krieger
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