

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 25-0895-PET

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 off Dunsmore Road in the)
Town of St. Albans, Vermont)

VERMONT DEPARTMENT OF PUBLIC SERVICE’S COMMENTS

On May 5, 2025, ER Dunsmore, LLC (“ERD” or “Petitioner”) filed a petition with the Vermont Public Utility Commission (“Commission”), pursuant to 30 V.S.A. § 248 and Commission Rule 5.400, for approval of a 4.95 MW solar electric generation facility, sited on approximately 30-acres of land, leased from the owner of a 114-acre parcel located off Dunsmore Road in St. Albans, Vermont. ERD is a wholly owned subsidiary of Encore Renewable Energy (“Encore”). After having reviewed ERD’s petition, attended a site visit, information session, and public hearing, the Vermont Department of Public Service (“Department”) offers the following comments.

According to prefiled testimony, exhibits, and its petition, ERD proposes to install approximately 12,425 solar modules on single-axis trackers running north-south. ERD will sell the electrical output to Green Mountain Power (“GMP”) under a Power Purchase Agreement (“PPA”). The electricity generated from the facility will run from the panels to a network of string inverters, then to two 2,500 kVA transformers, one located in the middle of the array, and one near the project entrance. From the transformers, electricity will run underground beyond the project’s perimeter fence and transition to overhead with eight (8) new utility poles, where the project will interconnect with the GMP system. According to prefiled testimony, “[ERD] will register any

underground electric lines owned or controlled by the Project with Dig Safe and comply with Commission Rule 3.800 for the lifetime of the Project.”¹ The Department recommends that the Commission require, as a condition of the Certificate of Public Good (“CPG”), that, for the life of the project, the Petitioner become a member of Dig Safe and comply with 30 V.S.A. Chapter 86 and Commission Rule 3.800.

The Department has reviewed ERD’s proposed Decommissioning Plan and Fund and finds that it is ample based on projects of similar size and scope that have previously been approved by the Commission and that it includes an acceptable form of security in accordance with the laws of the State of Vermont. Therefore, assuming the final form of security for signature is issued by an A-rated financial institution, the Department recommends that it be approved as a viable component of the overall project petition pursuant to 30 V.S.A. § 248. The Department recommends that as a condition of the CPG, the Commission require that the issuer be an A-rated financial institution, as agreed to by Petitioner.²

The Department has reviewed ERD’s petition and finds that the proposed Project, as conditioned, does not raise a significant issue with respect to the statutory criteria traditionally subject to its § 248 review, and the Project will promote the public good. The Department is not aware of any public comments raising concerns with ERD’s Petition.³ The Department will

¹ *Prefiled direct testimony of Taegan Kopfler*. May 5, 2025. Case No. 25-0895-PET. At 4-5. Petitioner also states, “DRS does not object to including a condition in the CPG requiring these steps.”

² According to DRS-TK-7, “The Decommissioning Fund shall be secured by a surety bond or other form of security (such as an escrow agreement or letter of credit) that meets the Commission’s requirements for decommissioning...” including, “(2) is issued by an A-rated financial institution”. Commission Rule 5.904(B)(2) requires an A-rating for the issuer of the letter of credit but does not consider rating for a securer of “Alternative form of financial security” as described in 5.904(B)(3).

³ The only public comment in the case is from the Northwest Regional Planning Commission, stating that “the project conforms with the Norwest Regional Plan.”

separately file its determination pursuant to 30 V.S.A. § 202(f) that the Project is consistent with the Vermont Electric Plan.

DATED at Montpelier, Vermont this 26th day of September 2025.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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