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October 16, 2025

Holly Anderson
Clerk of the Commission
Vermont Public Utility Commission
112 State Street
Montpelier, VT 05620

Re: Case No. 25-1253-INV: Single Plant Comments

Dear Holly:

In response to the Commission's October 2, 2025, draft recommendation the "Recommendation") of its proposed amended definition of "plant", Allco Renewable Energy Inc. hereby submits the following comments:

1. Whatever rules are developed, they should only apply if the aggregate of all facilities exceed 4.99 megawatts ("MWs"). As the Commission knows, that it is threshold in ISO-New England for "load reducer" treatment. That is why Green Mountain Power's various solar facilities are 4.99MWs. Any approach other than that does not benefit ratepayers, and is discriminatory.

2. The Commission's economic premise for the single-plant rule is flawed and is based upon speculation, especially when a substantial upgrade to utility infrastructure is needed. Multiple facilities may be required to shoulder the burden of those upgrades. That, for example, is the purpose of the group study processes that now happen in Massachusetts. In other words, no one project could afford to bear the cost of upgrades for a utility distribution system that is aging, is subject to increased adverse weather events, and was never designed for the amounts of distributed generation that is hooking up to the system. States like Massachusetts and Connecticut realize that.

3. There are three things that the Commission was told by the legislature to consider under Section 5 of Act 38: (i) the benefits of collocation, (ii) permitting review of collocated facilities and (iii) ratepayer impact. The obvious intention of the legislature was to allow for collocation of renewable facilities as long as the facilities involved are subject to review and there is not an unjustified negative impact to ratepayers associated with collocated facilities. The Commission's proposed definition of "plant" completely ignores this legislative mandate and introduces a blanket prohibition on the co-location of two or more renewable facilities participating

in the Standard Offer Program (something that is currently permitted under the current definition of "plant" if certain criteria are met). In other words, the Commission is going backwards and doing the exact opposite of what the legislature intended.

The Commission's justification for eliminating the ability of developers to co-locate these Standard Offer facilities is that it purportedly "ensures that large projects have not been segmented into smaller projects to gain financial benefits under renewable energy programs intended for the benefit of smaller projects, in contravention of legislative policy." See page 5 of the Recommendation. In presenting this new blanket prohibition on the collocation of Standard Offer Program facilities, the Commission does not even attempt to discuss (i) the benefits of collocating Standard Offer Program facilities, (ii) permitting review of collocated Standard Offer Program facilities or (iii) ratepayer impact of collocating Standard Offer Program facilities, which, inter alia, is directly related to "load reducer" status for facilities 4.99MW or less. Not only does the Commission not analyze **any** of the three criteria that it was mandated to examine, it claims without explanation that the collocation of Standard Offer projects contravenes legislative policy. Tellingly, the Commission offers no explanation as to what policy that is nor does the Commission point to a single statute to support its blanket prohibition on the collocation of Standard Offer projects. In other words, the Commission is basing this new approach on its presumption that the "legislative policy" intended to wholly ignore the benefits of "load reducers" in ISO-New England, and in so doing ignored the economics of actual ratepayer benefits from load reducers.

Although the Standard Offer Program caps facilities at 2.2MW or less, there is no law or economic analysis that supports the Commission's position that collocation of such facilities is prohibited or bad for ratepayers. In reality the fact that GMP's solar projects are 4.99MWs or less shows *prima facie* that the Commission's position is divorced from economic reality. Additionally, (i) the collocation of Standard Offer projects has been permitted in practice and (ii) Section 5 of Act 38 makes it clear that the continued collocation of Standard Offer projects (and all other renewable energy projects in Vermont) should be permitted if subject to comprehensive review without an unjustified negative impact on ratepayers.

Regarding the criteria that the Commission chose to ignore, it should go without saying that each collocated Standard Offer Project would still be subject to a Section 248 review. In addition, the collocation of Standard Offer Projects has zero negative impact on ratepayers and the Commission does not argue otherwise, especially projects that in the aggregate are 4.99MWs or less, or if greater than that are still individually load reducers and not aggregated under ISO-New England's Operating Procedure No. 14.

Sincerely,

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