

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 25-2356-PET

Williston G Katie Lane Solar, LLC's Petition for a
Certificate of Public Good in accordance with
30 V.S.A. § 248 regarding a proposed 2.9 MW
ground-mounted solar array located off
Mountain View Road in Williston, Vermont.

**FIRST SUPPLEMENTAL PREFILED TESTIMONY AND DECLARATION OF
JAKE CLARK
ON BEHALF OF
WILLISTON G KATIE LANE SOLAR, LLC**

This document and supporting exhibits have been filed ePUC

Summary of Testimony

Mr. Clark's testimony responds to the Hearing Officer's Request for Information explaining changes to the Project's capacity occurring in between the advanced notice and the filing of the Petition and confirms that the Project submitted in the Petition will have a capacity of 2.9 MW. Mr. Clark also explains Petitioner's compliance with the Commission's notice provisions of 5.400 and clarifies the Power Purchase Agreement price to be paid for the Project's output.

Introduction

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

My name is Jake Clark, and I am currently the Vice President of Development at Encore Renewable Energy (“Encore”). My business address is 50 Lakeside Avenue, Suite 110, Burlington, VT 05401. Encore is assisting Williston G Katie Lane Solar, LLC (“WGKL Solar” or “Petitioner”) with these proposed Projects.

Q2. Have you testified previously in this matter?

A2. Yes. As Project manager, I submitted prefiled testimony with the Petitioner’s original petition filing in this case.

Q3. What is the purpose of your supplemental testimony?

A3. My supplemental testimony responds to the Hearing Officer’s information request by: confirming that the Project as proposed in the Petition will have a capacity rating of 2.9 MW, explaining the change in capacity that has occurred since Petitioner provided pre-filing advance notice of the Project pursuant to Commission Rule 5.402, and stating Petitioner’s understanding that nothing in Commission Rule 5.400 requires any further notice of the change to parties entitled to notice given that the change is evident in the site-plan filed with the Petition has been served upon all parties entitled to notice following the Commission’s determination that the Petition is administratively complete. My testimony also clarifies the PPA price to be paid for the project’s output.

1 Q4. What is the capacity of the Project proposed in the Petition?

2 A4. As proposed in the Petition and indicated in my prefiled testimony dated September 30,
3 2025, and in the case caption included on all ePUC filings to-date, Petitioner proposes a
4 ground-mounted solar array with 2.9 MW AC capacity.

5
6 Q5. What steps is Petitioner taking to clarify the record with regard to the Project's anticipated
7 capacity?

8 A5. Along with my supplemental testimony, Petitioner's expert, Jeremy Owens, is filing
9 supplemental testimony and a revised exhibit to correct erroneous references to project
10 capacity of 2.35 MW AC and to clarify that his analysis of the Project was based on the
11 2.9 MW site design reflected in the Petition and supporting Exhibit WGKL-JC-2.

12
13 Q6. How does the Project as proposed in the Petition differ from the project described in the
14 pre-filing advanced notice?

15 A6. The Project as proposed in the Petition is substantially similar to the project as described
16 in the pre-filing advanced notice. Both the "preliminary site plan" accompanying the pre-
17 filing advanced notice and the Petition site plan, Exh. WGKL-JC-2, indicate two ground-
18 mounted sub-arrays located on an approximately 11-acre parcel accessed by a private road
19 off Mountain View Road in Williston, northwest of its intersection with Katie Lane. The
20 two sub-arrays are located in the same locations on the Project Site as indicated in the
21 "Preliminary Site Plan" sent as Attachment 1 to the advanced notice letter dated January
22 29, 2025 with arrays running in the same east-west orientation.

1 The changes made to the Project in the time between the service of the “Preliminary Site
2 Plan” accompanying the advanced notice and the Site Plan submitted with the Petition
3 reflect the addition of rows of panels to accommodate approximately 1,000 additional
4 modules, bringing the Project capacity from 2.375 MW to 2.900 MW. The additional rows
5 of panels were added to the southernmost sub-array. The narrative “Project Description”
6 in the advanced notice indicates that the Project consists of “approximately 5,472 solar
7 panels installed on ground-mounted racking systems across roughly 11 acres of the Site”
8 with “modules mounted on fixed tilt racking systems with rows running east-west.” By
9 contrast, the Petition indicates that the Project consists of “approximately 6,550 non-
10 reflective photovoltaic modules installed on fixed tilt racking units spread across two
11 subarrays on the approximate 11-acre Project area....The approximately 51 rows of panels
12 comprising the solar array range in length and run generally east-west.” (Petition at ¶ 4).

13
14 Q7. Does Petitioner propose to notify the persons who received advance notice of the project
15 in Case No. 25-0209-AN of the changes that the Petitioner has made to the Facility between
16 its advance notice filing and this Petition?

17 A7. Petitioner respectfully contends that such persons are on notice of the change by virtue of
18 having been served the Petition and accompanying site plan, Exhibit WGKL-JC-2. Those
19 interested in the Project can readily discern the changes by side-by-side comparison of the
20 advanced notice documents and the Petition documents. The advanced notice clearly
21 demarcates the site plan included as Attachment 1 as “preliminary”, signaling to recipients

1 of the advanced notice the possibility of changes to the Project site plan upon filing of the
2 Petition.

3 Petitioner is unaware of any provision in Commission Rule 5.400 that would require
4 additional notice of changes occurring between the preliminary plans sent with pre-filing
5 advanced notices and the site plan submitted with the Petition. Rule 5.402(C)(2)(b)
6 establishes a standard of “reasonable notice” regarding “the nature of the project so that
7 the recipient is able to make an informed judgment as to any potential impacts the
8 construction may or operation of the project may have on any interest of the recipient that
9 is within the Commission’s jurisdiction to address.” The Rule allows for depiction of new
10 infrastructure in “approximate location” in as much detail as the petitioner can
11 “reasonably” provide.

12
13 At the time of the advanced notice, Petitioner’s “preliminary site plan” provided clear and
14 reasonable notice of the proposed nature and “approximate” location of the project and its
15 infrastructure; by designating the site plan as “preliminary” Petitioner also provided notice
16 that site plan details were subject to change. In this case, Petitioner was able to make
17 changes to the Project following the advanced notice by adding modules and increasing
18 capacity following a decision by the host landowner to allow Petitioner to utilize more
19 surface area on the same 11-acres identified in both the advanced notice and the Petition.

20
21 Petitioner is aware that Commission Rules do require additional notice of “substantial
22 changes,” but such additional notice is required under Rule 5.412 only when the substantial

1 change occurs “after the petition has been filed with the Commission but before a decision
2 has been issued” or under 5.413 in the case of post-CPG amendments. Neither rule applies
3 to changes, substantial or otherwise, between the advanced notice and the petition,
4 particularly when, as is the case here, Petitioner’s advanced notice satisfies the “reasonable
5 notice” and “approximate location” standards of Rule 5.402.

6
7 For the foregoing reasons, Petitioner contends that it has satisfied the requirements of the
8 Commission’s notice rules such that no further notice actions are required by Petitioner at
9 this time. Petitioner does, however, regret any confusion that it has caused by virtue of
10 submitting testimony that contains erroneous references to a lower capacity Project and by
11 not proactively explaining in my initial prefiled testimony that the Project capacity had
12 changed since service of the advanced notice.

13
14 Q8. Other than the corrections to Mr. Owens’s testimony and exhibit, are there other corrections
15 to testimony Petitioner wishes to make?

16 A8. Yes, in my September 30, 2025, prefiled testimony on page 5 at lines 16-18, I indicated
17 that “Petitioner plans to sell the output of the solar Project to GF Power under a Power
18 Purchase Agreement (“PPA”) at a competitive rate of \$1.066/kwh.” For consistency with
19 the PPA on file with the Commission, my testimony should refer to the PPA rate in terms
20 of MWh rather than kwh. Thus, I want to clarify that the PPA rate is \$106.60 per MWh.

21
22 Q9. Does this conclude your testimony at this time?

1 A9. Yes

WITNESS DECLARATION

I, Jake Clark, being over 18 years of age, and competent to testify on these matters declare that on behalf of Petitioner, I prepared my first supplemental prefiled testimony in the above captioned matter and I have the necessary expertise to testify to the same information. I declare that my testimony is true and accurate to the best of my knowledge and belief. I understand that if such responses are false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.

Dated at Burlington, Vermont, this 22d day of, October 2025.

____/s/ Jake Clark_____

Jake Clark