

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 24-2797-PET

Petition of Vermont Renewable Gas, LLC for a certificate of public good, pursuant to 30 V.S.A. § 248(j), for approval to construct and operate a 2.2 MW farm methane facility in Lyndon, Vermont	
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**VERMONT DEPARTMENT OF PUBLIC SERVICE'S RESPONSE TO
MOTION TO INTERVENE**

On November 10, 2025, Mark Simakaski filed a motion to intervene in the above-captioned matter pursuant to Commission Rule 2.209(B). Rule 2.209(B) provides for permissive intervention:

- (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.

The Commission's consideration of permissive intervention must include whether the intervention will unduly delay the proceeding or prejudice the interests of existing parties or the public. Rule 2.209(C) provides the Commission with further discretion to impose certain restrictions on an intervenor's participation.

Mr. Simakaski's motion is timely and indicates that he operates a food production business at 1713 Industrial Parkway in Lyndonville, adjacent to the site of the proposed generation facility in this case. Mr. Simakaski cites an interest in air quality, which is relevant to the issues evaluated under 30 V.S.A. § 248(b)(5). As a practical matter, his participation at this stage will not create undue delay or prejudice the interests of existing parties. For the foregoing reasons, the Department does not oppose Mr. Simakaski's intervention with respect to air quality under § 248(b)(5).

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DATED at Montpelier, Vermont this 17th day of November, 2025.

Respectfully Submitted,

VERMONT DEPARTMENT OF PUBLIC SERVICE

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cc: ePUC Service List