

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 25-2346-PET

Petition of Northland Solar, LLC for a Certificate of Public Good, pursuant to 30 V.S.A. § 248a, for approval to install and operate a 4.999 MW solar generation facility in Lowell, Vermont	
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Order entered: 11/25/2025

PROCEDURAL ORDER RE MOTIONS TO INTERVENE AND REQUESTS FOR HEARING

I. INTRODUCTION

This case involves a petition filed by Northland Solar, LLC (the “Petitioner”) on October 1, 2025, for a certificate of public good (“CPG”) under 30 V.S.A. § 248a, with the Vermont Public Utility Commission (“Commission”) authorizing the installation of a solar generation facility (“Project”) in Lowell, Vermont.

II. PROCEDURAL HISTORY

On November 5-7, 2025, Michael Tetreault, Madonna Sullivan, the Lowell Cemetery Association, Douglas Manning, and the Lowell Graded School (together, the “Intervenors”) each filed a separate motion to intervene.¹ The Intervenors also filed requests for an evidentiary hearing to be held in this proceeding.

On November 14, 2025, the Petitioner filed a response to the motions to intervene.

On November 17, 2025, Ms. Sullivan filed supplemental information to her motion.

III. LEGAL STANDARD

Rule 2.209 governs intervention in proceedings before the Commission. Rule 2.209(A) provides that upon timely application a person is entitled to intervene in a proceeding:

¹ Mr. Tetreault filed a notice of intervention which is not available in this proceeding. However, I will treat the notice as a motion to intervene.

- (1) when a statute or Commission rule confers an unconditional right to intervene; or
- (2) when the applicant claims an interest in the matters that must be resolved in the proceeding and the applicant is so situated that the disposition of the proceeding may as a practical matter impair or impede the applicant's ability to protect that interest, unless the applicant's interest is adequately represented by existing parties.

In addition, Rule 2.209(B) reserves to the Commission the power to grant intervenor status on a permissive basis:

- (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 under Rule 2.209(B), the Commission must consider whether intervention will unduly delay the proceeding or prejudice the interests of existing parties or of the public.

Rule 2.209(C) further provides that the Commission may impose certain restrictions on an intervenor's participation in a proceeding. Specifically, the Commission may restrict that party's participation, may require that party to join with other parties with respect to appearance by counsel, presentation of evidence, or other matters, and may otherwise limit that party's participation, all as the interests of justice and economy of adjudication require.²

IV. POSITIONS OF THE PARTIES

The Intervenors, with the exception of the Lowell graded School ("School"), all argue that they will be negatively impacted aesthetically by the installation of the Project because they will be able to view the Project from their respective properties. The School contends that the Project will negatively impact its drinking water source watershed.

The Petitioner has no objection to granting the Intervenors intervention with respect to aesthetic impacts and water source impacts.

V. DISCUSSION AND CONCLUSION

All Intervenors appear to be seeking permissive intervention through Commission Rule 2.209(B).

² The Commission may not require a State agency to be represented jointly with any other party to a case.

The Intervenors, with the exception of the School, have adequately demonstrated through the visual-aesthetics allegations in their motions to intervene that their claimed interest in the Project's aesthetic impact shares a question of law or fact in common with the applicable criteria included in 30 V.S.A. § 248(b)(5), which must be resolved in this proceeding. I also find that intervention on the basis of aesthetics will not unduly delay the proceeding or prejudice the interests of existing parties or of the public. Therefore, I grant the Intervenors permissive intervention with respect to the Project's aesthetic impact under Section 248(b)(5), pursuant to Rule 2.209(B)(2).

The School alleges that the Project will negatively impact its drinking water source watershed. Accordingly, I grant the School permissive intervention regarding impacts to the School's drinking water supply pursuant to Section 248(b)(5).

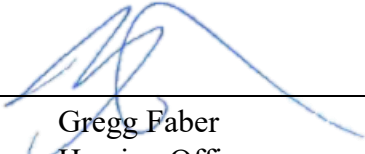
Therefore, the scope of the Intervenors' intervention in this proceeding is limited to aesthetic issues and watershed impacts.

The Intervenors' motions also contain evidence that suggests that the Project has at least the potential to raise a significant issue with respect to aesthetics and the watershed, which are applicable to this case under Sections 248(b)(5). Accordingly, the request for an evidentiary hearing is granted.

I also conclude that the Intervenors should coordinate their activities through a single representative for the remainder of this proceeding. Accordingly, the Intervenors are required to coordinate their members' participation in discovery, in the presentation of evidence, in cross-examination, and in briefing.

SO ORDERED.

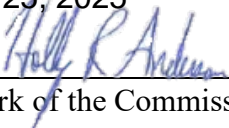
Dated at Montpelier, Vermont, this 25th day of November, 2025.



Gregg Faber
Hearing Officer

OFFICE OF THE CLERK

Filed: November 25, 2025

Attest: 

Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

PUC Case No. 25-2346-PET - SERVICE LIST

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*Notice of appearance to be filed.
^Motion to Intervene pending.