

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 24-2797-PET

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| Petition of Vermont Renewable Gas, LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, to construct and operate a 2.2 MW generation facility in Lyndon, Vermont | |
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Order entered: 04/08/2026

ORDER ESTABLISHING REVISED SCHEDULE

This case a petition filed by Vermont Renewable Gas, LLC (“VRG”) requesting a certificate of public good (“CPG”), under 30 V.S.A. § 248, to construct and operate a 2.2 MW generation facility in Lyndon, Vermont (the proposed “Facility”).

In an October 30, 2025, order, a schedule was set in this proceeding.

On January 23, 2026, VRG filed a motion to change the schedule.

On January 30, 2026, Steve Dolgin, Ernest and Madeline Hastings, John Ling, and Mark Simakaski (“Intervenors”) jointly filed a response to VRG’s motion.

On March 16, 2026, the Intervenors filed a motion requesting a schedule for the proceedings.

On March 30, 2026, VRG filed a response agreeing with Intervenors’ request for a schedule and requests that the Commission approve the schedule submitted in VRG’s January 23, 2026, motion. VRG states that it does not oppose Intervenors’ request for a site visit and public hearing. VRG opposes the Intervenors’ request to reopen the period for intervention.

On March 30, 2026, the Vermont Department of Public Service (“Department”) filed a response supporting changes to the schedule and opposing the request to reopen the period for intervention.

Additional Period for Intervention

The Intervenors request to reopen the deadline for intervention. The Department and VRG oppose this request.

The request to reopen the deadline for intervention is denied. This proceeding was opened on August 26, 2024, and there was an initial opportunity for interested persons to file motions to intervene. After a stay of the initial proceeding and a year after this case was moved

from the Section 248(j) process to a full Section 248 proceeding, a second opportunity for motions to intervene was provided. An October 30, 2025, schedule order set a date of November 17, 2025, for motions to intervene. Further, this matter is well underway and all parties had an opportunity to provide input. There has already been a first round of discovery requests and responses. The Intervenors have not provided any explanation for how the Commission or this process would benefit by allowing additional persons to intervene. VRG maintains that it would be unfairly prejudiced by allowing an additional period for intervention.

Site Visit and Public Hearing

Intervenors request a site visit and public hearing. The Department and VRG do not object to the request. As discussed below, I am adopting a schedule that includes a site visit and virtual public hearing.¹ The schedule will include a deadline for parties to propose separate or agreed upon itinerary for the site visit. VRG is requested to provide information on parking and access with its proposal. A memorandum will be issued in advance of the site visit with a detailed itinerary, schedule, and parking information.

The purpose of the site visit is to assist the hearing officer and the parties in understanding the proposed facility. Observations and facts from the site visit are not considered as evidence unless the Commission, on its own motion or on the request of a party, specifically enters them into the evidentiary record.

The purpose of the public hearing is to provide an opportunity to hear input from the public on the proposed facility.² The comments received at the virtual hearing will be recorded and become part of the public record in this case but not the evidentiary record. Although public comments do not become part of the formal evidence in this case, they can be helpful in raising new issues or perspectives that the Commission should consider.

Schedule

Intervenors request that a schedule be set for this case going forward, including a site visit, public hearing, and a deadline for disclosure of and discovery on VRG's negotiations with the Department, the Vermont Agency of Natural Resource ("ANR"), and the Vermont Agency of

¹ Due to a February injury, the hearing officer cannot conduct a site visit before the end of April.

² A member of the public can also provide comments using the Commission's electronic document management system (ePUC) or in writing and by e-mail through the Clerk of Commission's address.

Agriculture, Food and Markets (“AAFM”). The Department and VRG support a change in schedule deadlines to provide additional time for supplemental prefiled testimony and party review.

I am adopting the consistent with the timelines proposed by VRG in its January 23, 2026, motion. I am adding time to the proposed schedule to reflect my delay in issuing a scheduling order.

I am not adding a specific deadline for disclosure of and discovery on VRG’s negotiations as requested by the Intervenors. The schedule includes deadlines for additional discovery and VRG rebuttal testimony. The evidentiary hearing will also provide the Intervenors with opportunity to cross-examine witnesses.

Accordingly, I adopt the following schedule.

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| April 15, 2026 | Deadline for proposed site visit itineraries |
| April 23, 2026 | Site visit at 11 A.M |
| April 23, 2026 | Virtual public hearing at 7 P.M., with Department information session at 6:30 P.M. |
| April 30, 2026 | Deadline for testimony by non-petitioner parties |
| May 14, 2026 | Deadline for discovery on non-petitioners |
| June 11, 2026 | Deadline for non-petitioners to respond to discovery |
| June 18, 2026 | Deadline for VRG to file rebuttal testimony |
| July 2, 2026 | Deadline for discovery on VRG concerning VRG rebuttal testimony |
| July 20, 2026 | Deadline for VRG to respond to discovery |
| August 5, 2026 | Deadline for surrebuttal testimony by non-petitioners |
| August 21, 2026 | Evidentiary hearing, with briefing schedule determined at hearing |

SO ORDERED.

Dated at Montpelier, Vermont, this 8th day of April, 2026.

Mary Jo Krolewski

Mary Jo Krolewski
Hearing Officer

OFFICE OF THE CLERK

Filed: April 8, 2026

Attest: *Holly R. Anderson*
Clerk of the Commission

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