

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Novus Buck Solar LLC for a	)	
Certificate of Public Good, pursuant to 30	)	
V.S.A. § 248, authorizing the installation	)	
and operation for a 4.999 MW ground-	)	Case No. 26-____-PET
mounted solar array in Newport Town,	)	
Vermont to be known as the	)	
“Novus Buck Solar Project”	)	

**Novus Buck Solar LLC’s Motion to Waive Commission Rule 5.403(A)(1) and (14) and
Issue a Notice of Completeness**

In connection with the Section 248 Petition for a Certificate of Public Good (“CPG”) filed by Petitioner Novus Buck Solar LLC (“NBS” or “Petitioner”) to construct a 4.999 MW solar electric generation facility in Newport Town, Vermont (the “Project”), Petitioner hereby respectfully requests that, pursuant to Commission Rules 2.107 and 5.415, the Commission waive the requirement for a completed interconnection study to be submitted with the Petition for the good cause set forth below.

Commission Rules 5.403(A)(1) and (14) require a petitioner to file prefiled evidence demonstrating how the proposed project complies with each of the separate criteria of 30 V.S.A. § 248(b) and promotes the general good of the State in compliance with 30 V.S.A. § 248(a). The testimony and exhibits must contain sufficient facts to support a positive finding by the Commission under each of the applicable Section 248 criteria, including criterion (b)(3) (system stability and reliability). Petitions are further required to include “[i]nformation to document compliance with Commission Rule 5.500 regarding interconnection procedures for electric generation facilities.” The Commission has previously stated that a CPG petition must include a System Impact Study (“SIS”) “to document compliance with Commission Rule 5.500” and “to

support a positive finding under 30 V.S.A. § 248(b)(3) (system stability and reliability).”¹

However, the Commission has also waived this requirement in select circumstances where good cause exists pursuant to its authority under Rules 2.107 and 5.415.²

Petitioner submits that there is good cause for the Commission to grant a waiver to the completeness requirement specific to filing sufficient evidence of the Project’s compliance with the system stability and reliability criterion and Commission Rule 5.500 due to the timing of the expiration of federal tax credits. Petitioner submitted an interconnection application for the Project on November 25th, 2025, and the SIS is currently underway with Vermont Electric Cooperative (“VEC”).³ VEC has informed Petitioner that the SIS is anticipated to be issued around May 15th, and Petitioner will file the SIS promptly upon receipt. Petitioner therefore anticipates there will be no long delay to parties’ ability to review the SIS, which should be available prior to the start of discovery. However, due to the timing of the expiration of the federal Investment Tax Credit (“ITC”) that significantly impacts the potential viability of this Project, Petitioner is asking the Commission to move forward with deeming the Petition complete and scheduling a conference to set the schedule for the proceeding while the SIS is still pending, as these steps often take several weeks and the Project is looking to obtain a CPG as soon as possible in order to be able to finish construction in time to qualify for the ITC. Qualification for the ITC materially impacts the cost of Project development, and is assumed in the price of the Power Purchase Agreement (“PPA”) that Petitioner and VEC have executed, allowing Petitioner to sell the Project output at a lower price to VEC because the Project costs are in turn lower. Due to the changes to the ITC under the 2025 “One Big Beautiful Bill,” the

1 See *Petition of Novus 242 Solar LLC*, Case No. 26-0261-PET, Memorandum (February 11, 2026).

2 *Petition of Novus 242 Solar LLC*, Case No. 26-0261-PET, Order Granting Request for Waiver at 3 (March 6, 2026).

3 Alex Bravakis, Petitioner (“Bravakis”) pf. at 10.

Project may only qualify for these credits if it commences construction of the Project by July 2026 or is fully operational by the end of 2027.

In order to have the best chance to secure the ITC, Petitioner is seeking to commence this proceeding as soon as possible and to moved forward with a scheduling conference prior to the completion of the SIS. Given the benefits to VEC ratepayers of the Project's qualification for the ITC and the fact that the SIS timing is outside of Petitioner's control, Petitioner respectfully requests that the Commission find good cause to waive Commission Rule 5.403(A)(1) and (14) pursuant to its authority under Commission Rules 2.107 and 5.415 and commence the proceeding as soon as possible.

Dated at Burlington, Vermont, this 7th day of May, 2026.


Victoria Westgate, Esq.
Zachary Berger, Esq.
SRH Law PLLC
91 College Street, P.O. Box 545
Burlington, Vermont 05402-0545
vwestgate@srhlaw.com
zberger@srhlaw.com
802.860.1003