STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 26-0925-PET

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-mounted solar array in Newport Town, Vermont	

RESPONSE OF THE VERMONT DEPARTMENT OF PUBLIC SERVICE TO THE MOTION OF NOVUS BUCK SOLAR, LLC REQUESTING AN ADMINISTRATIVE COMPLETENESS DETERMINATION AND WAIVER OF RULES 5.403(A)(1) AND (A)(14)

On May 7, 2026, the Vermont Public Utility Commission issued a determination that the petition of Novus Buck Solar, LLC ("NBS") for 30 V.S.A. § 248 certificate of public good ("CPG") authorizing the construction and operation of a 4.999 MW solar photovoltaic electric generation facility to be located off VT Route 100 on a former gravel pit in Newport, Vermont (the, "Project"), is administratively incomplete under Rule 5.406. The Commission made this determination because the petition does not contain adequate evidence or information to document compliance with the Commission's interconnection rule, Rule 5.500,[1] or demonstrate that the Project will not adversely affect system stability and reliability under 30 V.S.A. § 248(b).[2] NBS anticipated this issue, so its petition included a motion to waive the requirements of Rules 5.403(A)(1) and (A)(14) pursuant to Rules 2.107 and 5.415. The Department of Public Service ("Department") has no objection to this request and therefore recommends that it be granted subject to conditions, as explained herein.

NBS explains that the Project applied for interconnection under Rule 5.500 with Vermont Electric Cooperative, Inc. ("VEC"), the interconnecting utility, on November 25, 2025. VEC is conducting an interconnection system impact study ("SIS"),[3] which was expected to be complete and filed around May

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[1] As required by, *e.g.*, Rule 5.403(A)(14).
[2] *See also* Rule 5.403(A)(1) (requiring petitions pursuant to 30 V.S.A. § 248 to contain evidence demonstrating the petition's compliance with the requirements of 30 V.S.A. §§ 248(a) and 248(b) as prerequisites for finding of administrative completeness).
[3] *See generally*, Rule 5.202 (providing related definitions), Rule 5.514 (governing system impact studies).

15, 2026 (to date, no interconnection study reports or related documents have been filed). The Project is also a component of a multi-facility cluster study being performed by ISO-New England ("ISO-NE") and results are expected by late June or early July 2026. The SIS and ISO-NE study results would typically be key evidence under several legal criteria including 30 V.S.A. § 248(b)(3) and Rules 5.500, 5.403(A)(1), and 5.403(A)(14). As such, NBS's motion for waiver of administrative completeness requirements is specifically to allow the review of the Project to begin while the SIS and ISO-NE studies are still pending.

Rule 2.107 provides that the Commission may waive its rules, unless prohibited by statute or rule, to "prevent unnecessary hardship or delay, to prevent injustice, or for other good cause." Similarly, Rule 5.415 establishes that the Commission may waive Rule 5.400 base requirements "[f]or good cause." NBS argues there is good cause for such a waiver because the Project is subject to a power purchase agreement ("PPA") with VEC and that the prices afforded VEC under the PPA assume that the Project will be able to qualify for the federal investment tax credit ("ITC") before it sunsets pursuant to the *One Big Beautiful Bill Act*, Pub. L. No. 119-21, 139 Stat. 72, H.R. 1 (2025). Thereby, any benefit the Project may provide VEC and its ratepayers under the PPA are contingent on NBS beginning "construction of the Project by July 2026 or . . . [the Project being] fully operational by the end of 2027." NBS cited to *Petition of Novus 242 Solar LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, authorizing the installation and operation of a 3.75 MW ground-mounted solar array in Jay, Vermont*, Case No. 26-0261-PET, Order of 03/03/2026, as recent precedent in a similar case where, with the Department's support, the Commission granted the waivers NBS requests here. The Department also notes NBS testified that it will pay for interconnection costs as dictated by the results of VEC's pending SIS.

Therefore, the Department has no objection to NBS's waiver request and recommends that it be granted subject to the condition that the SIS results be filed at least two weeks before the due date for the last round of discovery requests before any non-petitioner testimony, non-petitioner comments, or stipulations are due.

Thank you, and please do not hesitate to contact me with any questions or concerns.

Dated at Montpelier, Vermont, this 22nd day of May 2026

VERMONT DEPARTMENT OF PUBLIC SERVICE

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cc: ePUC Service List