

**STATE OF VERMONT  
PUBLIC UTILITY COMMISSION**

Case No. 26-0261-PET

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Petition of Novus Solar 242 LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, authorizing the installation and operation of a 3.75 MW solar facility in Jay, Vermont	
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**COMMENTS OF THE VERMONT DEPARTMENT OF PUBLIC SERVICE**

On February 6, 2026, Novus Solar 242, LLC (“Petitioner”) filed a petition with the Vermont Public Utility Commission (“Commission”) for a certificate of public good (“CPG”), under 30 V.S.A. §248, authorizing the construction and operation of a 3.75 MW solar electric generation facility located off of Route 242 in Jay, Vermont (the “Project”). Petitioner seeks to construct the above-captioned Project in lieu of a 500 kW net-metered solar facility that it previously proposed for the same location in Case No. 24-3725-NM, for which it received a CPG on April 17, 2025. Petitioner consequently requests that the Commission rescind the CPG issued in Case No. 24-3725-NM if its petition for this Project is approved, and states that it will pursue construction and operation of the 500 kW facility if the Commission does not issue a CPG for this Project. The Vermont Department of Public Service (“Department”) submits the following comments in accordance with the Scheduling Conference Order issued on March 19, 2026.

The Department has reviewed the petition, associated testimony and exhibits, and Petitioner’s supplemental materials, and concludes that the Project does not raise a significant issue under the 30 V.S.A. § 248 criteria within the Department’s expertise or the Commission’s Rules.<sup>1</sup> The Department finds that Petitioner’s decommissioning plan and fund are reasonable, compared

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<sup>1</sup> Including, Rule 5.500, Rule 5.900, and 30 V.S.A. §§ 248(b)(1) orderly development of the region, (b)(2) need for present and future demand for service, (b)(3) system stability and reliability, (b)(4) economic benefit to the State and its residents, (b)(5) aesthetics and public health and safety, (b)(7) compliance with the electric energy plan, (b)(10) economic service by existing or planned transmission facilities.

with those the Commission has approved for several similar facilities, and that they conform to the requirements of Commission Rule 5.900. The Department did not identify undue interference with orderly development of the region under § 248(b)(1) nor an undue adverse impact on aesthetics under § 248(b)(5).<sup>2</sup> Petitioner states that the Project will comply with all applicable codes and safety standards,<sup>3</sup> and represents that it will register all underground lines owned by the Project with DigSafe and comply with DigSafe for the life of the Project.<sup>4</sup> In communications with the Department, Petitioner also agreed to the inclusion of a condition on any CPG issued for the Project requiring Petitioner to register with DigSafe prior to site preparation or construction, and comply with 30 V.S.A. Ch. 86 and Commission Rule 3.800, as applicable, for the life of the Project.

Due to the Project's location in the transmission-constrained area of the Sheffield-Highgate Export Interface ("SHEI"), Petitioner has agreed to pay an upfront grid adjustor fee of \$12.55/kWac to mitigate the economic impacts of any resulting transmission constraints.<sup>5</sup> The Department finds that this fee addresses the Department's concerns regarding the impact of adding generation in the SHEI region, with respect to the conditionally waived criteria of §§ 248 (b)(4), (b)(7), and (b)(10).

Regarding § 248(b)(3), the System Impact Study concludes that the interconnection of the Project should not have an adverse effect on system stability and reliability, provided Petitioner completes the recommended upgrades prior to interconnection.<sup>6</sup> Petitioner will be responsible for

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<sup>2</sup> See Exhibit N2S-LT-2.

<sup>3</sup> Pf. Bravakis at 5.

<sup>4</sup> Pf. Bravakis at 9.

<sup>5</sup> Pf. Bravakis at 16.

<sup>6</sup> Exhibit N2S-AB-8.

the cost of system upgrades and confirmed in prefiled testimony that the upgrades will be completed prior to interconnection.<sup>7</sup>

Given that the Project is included in a cluster study review by ISO-NE, which is anticipated to be completed in June 2026, the Department recommends that the Commission include two conditions on any CPG issued for the Project, in addition to the Dig Safe condition referenced above. The Department first recommends a CPG condition requiring that the Petitioner will be responsible for any costs attributed to the Project as a result of the ISO-NE study. The Department also recommends a condition requiring the Petitioner to provide the results of the ISO-NE study to the Department.

The Department has reviewed the Memorandum of Understanding between Petitioner and the Vermont Agency of Natural Resources, and the Stipulation between Petitioner and the Vermont Agency of Agriculture, Food, and Markets, both filed on May 22, 2026, and does not have concerns with the conditions in those agreements. The Department also notes that the Vermont Department of Historic Preservation filed comments on May 20, 2026, concluding that the Project will have no effect on historic sites listed in or eligible for inclusion in the State Register of Historic Places.

Based on the foregoing, Department recommends that the Commission approve Petitioner's request and issue a CPG subject to the conditions described above without further hearings or investigation. The Department will file a Section 202(f) determination separately.

[Signature on following page]

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<sup>7</sup> Supp. pf. Bravakis at 2.

DATED at Montpelier, Vermont, this 22nd day of May 2026.

Respectfully submitted,

VERMONT DEPARTMENT OF PUBLIC SERVICE

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