

STATE OF VERMONT
PUBLIC UTILITIES COMMISSION

Case No. 25-2346-PET

Petition of Northland Solar LLC
for a certificate of public good,
pursuant to 30 V.S.A. 248, authorizing
the installation and operation of
a 4.999 MW solar electric generation
facility in Lowell, Vermont

**TOWN of LOWELL, LOWELL CEMETERY ASSOCIATION, LOWELL GRADED
SCHOOL BOARD, DOUGLAS & DEBORAH MANNING, MICHAEL & PAM
TETREAU, MADONNA SULLIVAN'S OPPOSITION
to PETITIONER'S PROPOSED SCHEDULE MODIFICATIONS**

The Town of Lowell, Lowell Cemetery Association, Lowell Graded School Board, Douglas and Deborah Manning, Michael and Pam Tetreault, and Madonna Sullivan Oppose Petitioners Proposed Schedule Modifications filed 22 May 2026. For the reasons stated in the Town of Lowell's Motion for Substantial Change Determination and Request for Stay of Proceedings, Petitioner's proposal that their substantive, project-wide alterations to the Petition be accepted as "rebuttal testimony" and addressed by the Town and adjoining property owners by way of "surrebuttal testimony" in three weeks is inappropriate and contravenes PUC Rules.

Petitioner's new site plan, changes in equipment, and substantial new testimony and exhibits, alter the impacts of the project on views from public roadways, town property, the history cemetery, and adjoining landowner's homes. It also potentially impacts aesthetics, orderly development, prime agricultural soils, natural resources, and other §248 criteria.

While Petitioner's testimony asserts that the proposed project-wide changes are intended to be responsive to aesthetic concerns, it is unjust and unreasonable to the affected parties to expect them formulate rebuttal testimony, including expert witness review and testimony, in three weeks, with no opportunity for intervening discovery to develop a better understanding of the proposed changes. Simple logic indicates that changes made to alleviate one set of aesthetic concerns may well exacerbate or create new concerns from other geographical perspectives, and have the potential to create greater impacts on natural resources or prime agricultural soils.

PUC Rules provide the appropriate process to be followed when a Petitioner wants to amend their CPG: They must file a Motion to Amend, PUC Rule 2.204(G), and the Commission must allot at least 14 days to respond to that Motion, PUC Rule 2.206(E), prior to ruling. By necessity, any pending schedule must be stayed to accommodate this, or here, where there is no schedule in place for the remaining litigation, Petitioner's proposed schedule should be rejected until after the Motion to Amend is completed and ruled upon. Such ruling, or the response to the Town's Motion for Substantial Change Determination, should hold that the changes are substantial, and again, reject Petitioner's proposed schedule until appropriate certification has been made and all comments thereon are received.

Conclusion

For the reasons stated herein, this Commission should reject Petitioner's proposed schedule modification.

Should the Commission nevertheless deny the Town's Motion for Substantial Change Determination and fail to order the Petitioner to file a Motion to Amend, any schedule issued should, at the least, including the following:

Discovery on Petitioner's Rebuttal Testimony and Exhibits	June 10, 2026
Responses to Discovery	June 24, 2026
Non-Petitioner's Surrebuttal Testimony	July 8, 2026
Parties file witness order and anticipated timing of witness examinations, and comprehensive exhibit list and stipulations as to admission of testimony and exhibits	July 22, 2026
Evidentiary Hearing	Week of July 27
Post-Hearing Primary Briefs, all parties	21 days after receipt of transcripts
Post -Hearing Reply Briefs, all parties	21 days after filing Primary Briefs

Dated at Lowell, Vermont this 25th day of May, 2026.

/s/Jennifer Blay

Jennifer Blay

/s/Byron Dolan

Byron Dolan

/s/Shaina Richardson

Shauna Richardson

/s/Douglas Manning

Douglas Manning

/s/Michael Tetreault

Michael Tetreault

/s/Madonna Sullivan

Madonna Sullivan