

**STATE OF VERMONT
PUBLIC UTILITY 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	
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**DEPARTMENT OF PUBLIC SERVICE RESPONSE TO INTERVENORS’ MOTION
FOR SUBSTANTIAL CHANGE DETERMINATION**

On May 26, 2026, the Town of Lowell, Lowell Cemetery Association, Lowell Graded School Board, Douglas and Deborah Manning, Michael and Pam Tetreault, and Madonna Sullivan (together “Intervenors”) moved for the Vermont Public Utility Commission (“Commission”) to determine that rebuttal testimony submitted by Northland Solar, LLC (“Petitioner”) on May 20, 2026, is a substantial change pursuant to Commission Rule 5.412. In support of their motion, Intervenors read Rule 2.204(G) into Rule 5.412 and compare the present case to allegedly similar Commission precedent that required motions for non-substantial changes.

Rule 2.204(G) dictates how amendments to petitions should be made and cannot be read into Rule 5.412, which is for substantial changes. Rule 5.412 makes no mention of amendments and is silent with respect to changes to a project that are non-substantial. As detailed in the Petitioner’s rebuttal testimony, the changes in the project do not have the “potential for significant impact with respect to any of the criteria of Section 248(b) or on the general good of the State under Section 248(a)” and therefore Rule 5.412 is inapplicable. After reviewing the rebuttal testimony, the Department agrees that Petitioner’s changes do not have the potential for

significant 248(a) or (b) impacts. If the Commission deems that Petitioner's rebuttal testimony should have been filed as an amendment, the Department recommends the Commission grant Rule 2.204(G) approval because Petitioner's rebuttal clearly identified and indicated the changes being made to the Project.

The cases cited by Interveners are inapplicable. The Commission's December 8, 2006, Order in Case No. 7195 is almost 20 years old and concerned amendments to pleadings after the close of a hearing, not changes to a project before the close of evidence, as is the circumstance here. *Rising Tide Towers II* Order of June 18, 2025, included a new tower location, additional earth disturbance, and vegetative clearing, while the present project changes only include a reduced footprint in the same project location.

Therefore, the Department recommends the Commission deny Interveners' motion for a substantial change determination.

DATED at Montpelier, Vermont, this 12th day of June 2026.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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