

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 26-0736-PET

Petition of Airport RD1 VT Solar, LLC for a certificate of public good, pursuant to 30 V.S.A. § 248, authorizing the construction and operation of a 4.975 MW solar facility in Fair Haven, Vermont	
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Order entered: 06/17/2026

ORDER GRANTING MOTION TO INTERVENE

This case involves a petition filed by Airport RD1 VT Solar, LLC (“Airport Solar”) requesting a certificate of public good (“CPG”) under 30 V.S.A. § 248, authorizing the construction and operation of a 4.975 MW solar facility off Airport Road in Fair Haven, Vermont (the proposed “Facility”).

On May 26, 2026, VT Real Estate Holdings 2 LLC (“VTREH2”) filed a notice of intervention form requesting permissive intervention pursuant to Vermont Public Utility Commission (“Commission”) Rule 2.209(B). VTREH2 owns abutting property to the Facility and is the developer of a solar facility on another adjoining property, approved in Case No. 24-2945-PET. VTREH2 states that it is seeking to participate in this proceeding to ensure that the interconnection, construction, operation, and decommissioning of the Facility do not adversely interfere with or affect VTREH2’s adjoining property or the construction and operation of its facility. VTREH2 contends that this is the only forum to protect its interests. VTREH2 specifically seeks intervention on the following criteria: system stability and reliability under 30 V.S.A. § 248(b)(3); aesthetics, soil erosion, traffic, and transportation, waste disposal under 30 V.S.A. § 248(b)(5); solar setbacks under 30 V.S.A. § 248(s); and decommissioning under Commission Rule 5.900. VTREH2 contends that the identified criteria have the potential to directly affect its property interests.

In a June 2, 2026, filing, Airport Solar states it has no objection to VTREH2’s notice to intervene. No other comments or objections were filed in response to VTREH2’s notice.

Commission Rule 2.209 governs intervention in proceedings before the Commission. Under Commission Rule 2.209(B), a person may be permitted to intervene in any proceeding:

(1) when a statute or Commission rule confers a conditional right to intervene; or (2) when an applicant's claimed interest shares a question of law or fact in common with the matters that must be resolved in the proceeding. In exercising its discretion, the Commission must consider whether intervention will unduly delay the proceeding or prejudice the interests of existing parties or of the public. In addition, Commission Rule 5.409 allows certain entities, including adjoining landowners, to obtain party status in a proceeding conducted under Section 248 through the filing of a notice of intervention.

Rule 2.209(C) further provides that the Commission may impose certain restrictions on an intervenor's participation in a proceeding. Specifically, the Commission may restrict that party's participation, may require that party to join with other parties with respect to appearance by counsel, presentation of evidence, or other matters, and may otherwise limit that party's participation, all as the interests of justice and economy of adjudication require.¹

I conclude that VTREH2 demonstrates that it has a conditional right to intervene, pursuant to Commission Rules 2.209(B)(1) and 5.409, and VTREH2's asserted interests in this case share a question of law or fact in common with the matters that must be resolved in the proceeding. Further, I find that VTREH2's intervention will not unduly delay the proceeding or prejudice the interests of existing parties or the public. Accordingly, I grant VTREH2's request for permissive intervention, limited to the interests identified in its notice to the extent those interests are within the Commission's jurisdiction.

SO ORDERED.

¹ The Commission may not require a State agency to be represented jointly with any other party to a case.

Dated at Montpelier, Vermont, this 17th day of June, 2026.

Mary Jo Krolewski

Mary Jo Krolewski
Hearing Officer

OFFICE OF THE CLERK

Filed: June 17, 2026

Attest: *Pamela Lenahan*
Deputy Clerk of the Commission

PUC Case No. 26-0736-PET - SERVICE LIST

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^Motion to Intervene pending.