

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. § 248a, for approval to install and operate a 4.999 MW solar generation facility in Lowell, Vermont	
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Order entered: 06/23/2026

ORDER DENYING MOTION FOR A NON-SUBSTANTIAL CHANGE DETERMINATION AND GRANTING MOTION TO AMEND SCHEDULE

This case involves a petition filed by Northland Solar, LLC (the “Petitioner”) on October 1, 2025, for a certificate of public good (“CPG”) under 30 V.S.A. § 248a, with the Vermont Public Utility Commission (“Commission”) authorizing the installation of a solar generation facility in Lowell, Vermont (“Project”).

On May 20, 2026, the Petitioner filed rebuttal testimony that includes revisions to the originally filed Project.

On May 22, 2026 the Petitioner filed a motion to amend the schedule for the proceeding to address the proposed revisions to the Project.

On May 26, 2026, the Town of Lowell, the Lowell Cemetery Association, the Lowell Graded School Board, Douglas and Deborah Manning, Michael and Pam Tetreault, and Madonna Sullivan (together the “Intervenors”) jointly filed a motion to require the Petitioner to file for a substantial change determination, and a stay of proceedings in response to the project revisions (“Intervenors Motion”).

On May 26, 2026, the Intervenors filed comments in opposition to the Petitioners’ motion to change the schedule.

On May 26, 2026, the Petitioner filed a response to the Intervenors motion for substnatial change determination and comments on the motion to change the schedule (“Petitioner Response”).

On May 27, 2026, the Intervenors filed a reply to the Petitioners May 26 response.

On May 29, 2026, I issued an order requesting comment on the Intervenor's May 26 motion and staying the proceeding.

On June 12, 2026, the Petitioner filed a supplement to its May 26 response.

On June 12, 2026, the Vermont Department of Public Service ("Department") filed a response in opposition to the Intervenor's motion for a non-substantial change determination.

On June 12, 2026, the Vermont Agency of Natural Resources ("ANR") filed a response in opposition to the Intervenor's motion for a non-substantial change determination.

On June 19, 2026, the Intervenor's filed a reply to the Petitioner's June 12 supplement to its May 26 response.

The Petitioner, in its rebuttal testimony, proposes a revision to the originally proposed Project design to remove solar panels from the southern-most section of the Project. The revision will result in the project footprint being reduced by five acres. The Petitioner is also proposing a revised landscape mitigation plan.¹ The Petitioner states that the proposed revisions were made in response to concerns expressed by the parties regarding the visibility of the Project. The revisions will all occur within the original Project footprint.²

Pursuant to Rule 5.412

If the petitioner makes a substantial change to a proposed project after the petition has been filed with the Commission but before a decision has been issued, the petitioner must serve notice of this change on all parties and entities entitled to notice under this rule and Section 248, including any newly affected Adjoining Landowners, as defined by this rule. For the purpose of this subsection, a substantial change is one that has 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).

The Intervenor's argue that the revisions to the Project proposed by the Petitioner constitute an amendment to the Project pursuant to Commission Rule 2.204(G) because the revisions have the potential for significant impact with respect to several Section 248(b) criteria as well as the general good of the state.³ The Intervenor's maintain that the requirement to file a motion to amend applies to any project revision, including non-substantial revisions.⁴

¹ Hand pf. reb. at 12-13.

² Exh. NS-TH-2a.

³ Intervenor's Motion at 2.

⁴ *Id.* at 3.

The Petitioner contends that the Intervenor's reading of Rule 2.204(G) "contravenes common sense, common practice, and the language of Rule 5.412."⁵ The Petitioner argues that the Project revisions are non-substantial because they result in a reduction of the Project size within the original footprint. The Petitioner maintains that any natural resources in the Project footprint will be less impacted. Accordingly, the Petitioner contends, the revisions "do not rise to the level of "substantial" changes requiring further notice to interested parties."⁶

Both the Department and ANR argue that the Project revisions do not have the potential for significant impacts with respect to the Section 248(b) criteria.

I agree with both the Department and ANR that the Project revisions do not constitute a "substantial change" to the Project pursuant to Rule 5.412. The revisions simply reduce the size of the project and do not expand the original Project footprint. The Intervenor's cite to two previous Commission cases where the Commission found that proposed project revisions required an amendment to a project.⁷ However, both those cases involved changes to the originally proposed project footprint and were found to have the potential for significant impacts.⁸ In this case, the Project size will be reduced and no impacts will occur outside the originally proposed footprint. Accordingly, the revisions do not represent a substantial change to the Project and no additional notice is required. Therefore, the Intervenor's motion is denied.

The Petitioner filed a motion to amend the schedule to allow for discovery on the revised Project design. I find this to be reasonable. Therefore, in order to allow for discovery on the revised Project design, I adopt the following schedule for the remainder of this proceeding:

Discovery on Petitioner's rebuttal filing due	July 2, 2026
Petitioner response to discovery due	July 17, 2026
Non-Petitioner surrebuttal testimony due	July 24, 2026
Discovery on non-Petitioner surrebuttal due	July 31, 2026

⁵ Petitioner Response at 2.

⁶ *Id.* at 2.

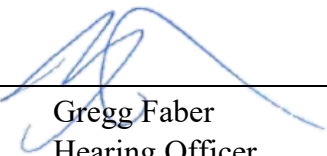
⁷ Intervenor's Motion at 3-4.

⁸ *See, Petition of Otter Creek Solar*, Case No. 19-3236-PET, Order of 1/4/22, and *Petition of Rising Tide Towers*, Case No. 25-0257, Order of 6/18/25.

Non-Petitioner response to discovery due	August 7, 2026
Parties file witness order and anticipated timing of witness examinations, and comprehensive exhibit list and stipulations as to admission of testimony and exhibits	August 14, 2026
Evidentiary hearing	Week of August 31, 2026

SO ORDERED.

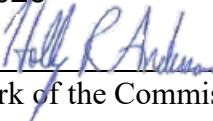
Dated at Montpelier, Vermont, this 23rd day of June, 2026.



Gregg Faber
Hearing Officer

OFFICE OF THE CLERK

Filed: June 23, 2026

Attest: 

Clerk of the Commission

PUC Case No. 25-2346-PET - SERVICE LIST

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