

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 26-0261-PET

Petition of Novus 242 Solar 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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Entered: 06/26/2026

**CERTIFICATE OF PUBLIC GOOD (“CPG”) ISSUED
PURSUANT TO 30 V.S.A. SECTION 248**

IT IS HEREBY CERTIFIED that the Vermont Public Utility Commission (“Commission”) this day found and adjudged that the site preparation, construction, operation, and maintenance of a 3.75 MW solar facility off Route 242 in Jay, Vermont (the “Facility”), by Novus 242 Solar LLC (“CPG Holder”), in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State, subject to the following conditions:

1. Site preparation, construction, operation, and maintenance of the Facility must be in accordance with the plans and evidence submitted in this proceeding. Any material deviation from these plans or a substantial change to the Facility must be approved by the Commission. Failure to obtain advance approval from the Commission for a material deviation from the approved plans or a substantial change to the Facility may result in the assessment of a penalty pursuant to 30 V.S.A. §§ 30 and 247.

2. Before beginning site preparation, construction, operation, maintenance, or decommissioning of the Facility, the CPG Holder must obtain all other necessary permits and approvals. Site preparation, construction, operation, maintenance, or decommissioning of the Facility must be in accordance with such permits and approvals, and with all other applicable regulations, including those of the Vermont Agency of Natural Resources (“ANR”).

3. The CPG Holder must restrict construction activities and related deliveries for the Facility to the hours between 7:00 A.M. and 7:00 P.M. Monday through Friday and between 8:00 A.M. and 5:00 P.M. on Saturdays. No construction activities or deliveries are allowed on Sundays, state holidays, or federal holidays.

4. The CPG Holder is responsible for all costs of distribution and transmission system upgrades that are necessary to address adverse impacts on system stability and reliability due to the Facility, as determined by the system impact study.

5. Before operating the Facility, the CPG Holder must enter into an interconnection agreement with Vermont Electric Cooperative Inc. (“VEC”) that conforms to the requirements of Commission Rule 5.500. The CPG Holder is responsible for the cost of electrical system upgrades reasonably necessary to implement interconnection of the Facility and such other costs appropriately submitted to the CPG Holder in accordance with Commission Rule 5.500.

6. The CPG holder must pay VEC a Sheffield-Highgate Export Interface transmission fee of \$12.55/kW as part of the interconnection costs for the Facility. The CPG Holder must confirm payment of funds to the Commission within three business days.

7. The CPG Holder’s failure to remit payment as specified in the above condition will result in revocation of this CPG without further action by VEC or the Commission. The failure of the CPG Holder to comply with the above condition will also allow VEC to disconnect the Facility from its electrical system without further notice. This provision supersedes any term or condition contained in an interconnection rule or agreement.

8. The CPG Holder must register with Dig Safe before any site preparation or construction and comply with 30 V.S.A. §§ 7001 through 7008 and Commission Rule 3.800, as applicable, for the life of the Facility.

9. The CPG Holder is responsible for any costs attributed to the cluster study review of the Facility by ISO-New England. The CPG Holder must provide the results of the cluster study review to the Vermont Department of Public Service.

10. The CPG Holder must remove the facilities authorized by this CPG once they are no longer in service and must restore the site to its condition before installation of the Facility to the greatest extent practicable, consistent with the terms and conditions of its decommissioning plan, identified in the evidentiary record as exhibit N2S-AB-5.

11. Before beginning site preparation, the CPG Holder must file with the Commission and obtain Commission approval for an executed letter of credit or other form of financial security in the amount of \$120,650.00. The letter of credit must be an irrevocable standby letter of credit that: (i) names the Commission as the sole beneficiary of the letter of credit; (ii) is

issued by an A-rated financial institution; (iii) includes an automatic extension provision or “evergreen clause”; and (iv) is bankruptcy remote. If the CPG Holder elects to establish the fund using an alternative form of financial security, that security must be established solely for the benefit of the Commission.

12. Every three years the CPG Holder must file a report with the Commission, the Department, and each party to this proceeding, describing any adjustments and changes to the decommissioning fund in the previous three-year period. This report must be filed no later than February 28 of the third year following the issuance of the CPG and every subsequent third year.

13. The value of the decommissioning fund must be adjusted for inflation every three years based on the net positive change in the annual average of the U.S. Bureau of Labor Statistics’ Northeast Urban Consumer Price Index for the preceding three-year period.

14. The Facility’s standby letter of credit or other form of financial security must be adjusted every three years to reflect changes to the decommissioning fund as provided in condition 13, above. Revisions must be made no later than February 28 in conjunction with the report required pursuant to condition 12, above. The Commission may require more frequent adjustments due to facility or site conditions.

15. The Commission has the right to draw on the Facility’s irrevocable standby letter of credit or other form of financial security to pay for decommissioning in the event that the CPG Holder has not begun decommissioning activities within 90 days of a Commission order directing decommissioning.

16. Upon completion of all decommissioning and site restoration activities, the CPG Holder must request a determination from the Commission that the CPG Holder's decommissioning obligations have been satisfied. Upon the Commission’s determination that the decommissioning obligations have been satisfied, the Commission will terminate the facility’s letter of credit or other form of financial security.

17. Before beginning site preparation, the CPG Holder must file with the Commission, the parties, and Jay a letter stating that it has fulfilled all pre-site preparation CPG conditions, and that it intends to begin site preparation for the Facility.

18. Before operating the Facility, the CPG Holder must file with the Commission, the parties, and Jay a letter confirming that it has fulfilled all pre-operation CPG conditions and that it intends to begin operation of the Facility.

19. As required by 30 V.S.A. § 248(a)(7), within 45 days of the date of this CPG, the CPG Holder must record a notice of the CPG on the form available at <http://puc.vermont.gov/document/cpg-municipal-notice-form> in the land records of each municipality in which a facility subject to the CPG is located.

20. The CPG Holder must comply with all the terms of the memorandum of understanding between the CPG Holder and ANR, contained in exhibit N2S-ANR-1.

21. Before beginning site preparation or construction of the Facility, the CPG Holder must obtain from ANR authorization for the Facility under either an Individual Construction Stormwater Permit, if concurrent earth disturbance will exceed 5 acres, or a Moderate Risk Construction Stormwater General Permit, if concurrent earth disturbance will not exceed 5 acres. No site preparation or construction work must commence until the applicable permit has been issued.

22. All Facility work must be performed in accordance with the terms and conditions of the applicable stormwater permit and any subsequent amendments. If the Facility proceeds under an Individual Construction Stormwater Permit, concurrent earth disturbance must not exceed 10 acres.

23. The CPG Holder must allow ANR, through its authorized representatives, to enter upon and inspect the Facility area upon reasonable notice, in a reasonable manner, and at reasonable times during regular business hours to determine compliance with the above conditions.

24. The CPG Holder must comply with all the terms of the stipulation between the CPG Holder and the Vermont Agency of Agriculture, Food and Markets (“AAFM”), contained in exhibit N2S-AAFM-1.

25. As provided in 30 V.S.A. § 248(t), despite any contrary provision of the law, primary agricultural soils as defined in 10 V.S.A. § 6001 located on the site of a solar electric generation facility approved under Section 248 must remain classified as such soils, and the review of any

change in use of the site subsequent to the construction of the Facility must treat the soils as if the Facility had never been constructed.

26. Before commencement of Facility construction, primary agricultural soils reclamation required by Act 250 Permit number 7R0644 (and subsequent amendments) must be completed pursuant to said permit conditions.

27. For areas of primary agricultural soils disturbance on the Facility site, the CPG Holder must comply with AAFM's Act 250 Procedure: Reclamation of Vermont Agricultural Soils, revised October 30, 2014 ("AAFM Guidelines"). The CPG Holder must also comply with the AAFM Guidelines when sequencing returned soils at the conclusion of Facility construction or decommissioning. The requirements of this paragraph will not apply to driven piles or posts to support the solar array, fence posts, and any other driven posts necessary to support infrastructure without the use of concrete or masonry.

28. Soil stockpiles must be located within the Facility fence. Stockpiled soil must be placed so that its base is at least three feet away from any part of the site that has a slope of 15% or greater.

29. In areas of tree clearing and grubbing, any grubbing must occur simultaneously with tree cutting and other construction activities. The process of grubbing must involve removal of tree stumps and roots to facilitate Facility construction, using light equipment such as a skid steer or small excavator. Grubbing in the tree cutting/grubbing area must minimize soil disturbance to include only what is necessary to effectively remove tree stumps and woody debris to construct the Facility. Tree stumps that are removed must be shaken clean over the area from which they were removed. Stumps must either be chipped or ground up or removed from the site and disposed in an approved stump dump facility. Chips and ground wood must be used to fill any minor depressions in areas from which trees were removed, widely dispersed so as not to form significant piles, and/or transported off the site for proper disposal. Wood in any form must not be piled on the site after construction is complete.

30. If installing electric conduit or other features with fill or other imported material of any kind in areas of primary agricultural soils, the CPG Holder must remove soil in a manner that separates soil horizons, stockpile the layer(s) displaced by the layer of imported for the life of the Facility, and replace the remaining soil horizons in their original sequence to fill the trench

after installation of the conduit or other features. When decommissioning, the CPG Holder must excavate and replace soil horizons in the same way, this time removing the conduit (or other features) and imported material and replacing it with the stockpiled layer(s) that the imported material previously displaced. If no imported material is used, no stockpiling will be required for the associated excavation, so long as the CPG Holder ensures that any primary agricultural soils removed during construction and again during decommissioning is replaced in a manner that retains the integrity of the primary agricultural soils and the proper sequencing of soil horizons consistent with AAFM Guidelines.

31. Except for grading to create the access road, the Facility must not include any grading of primary agricultural soils. Any fill or gravel used for roads or staging areas must be separated from native soils by a suitable barrier such as geotextile fabric.

32. To reduce impacts on primary agricultural soils from soil compaction, the CPG Holder must not use any vehicle or equipment with an axle load (the fraction of the gross weight distributed over each axle) of over 12,000 pounds on wet soils. Wet soils exist when the site has seen a higher-than-average rainfall for a trailing 30-day period, based on National Weather Service or similar state or federal rainfall data. This prohibition will not apply to the use of any onsite gravel roads that are constructed with geotextile fabric, a minimum of ten inches of gravel, and a one inch or thicker cap of crushed aggregate.

33. Before construction and again at the end of decommissioning, the CPG Holder must test bulk density of the soil on each mapped soil unit containing primary agricultural soils within the Facility limits to ensure that the primary agricultural soils on the site are materially the same after the Facility as they were before construction. “Materially the same” means an increase in soil bulk density of no more than 10%.

(a) The CPG Holder must undertake the soil tests and mitigate any material change in soil bulk density as follows:

(i) Before construction, for each area of direct impact such as staging areas, access roads, and any area on the Facility site where axle loads (the fraction of the gross weight distributed over each axle) of construction vehicles or equipment will exceed 12,000 pounds per vehicle, the CPG Holder must collect two soil samples at least 100 feet apart and test them using the method

“Bulk Density Test” described in the Natural Resources Conservation Service “Soil Quality Test Kit Guide.”

(ii) In any areas of primary agricultural soils on the Facility site where axle loads of construction vehicles or equipment will not exceed 12,000 pounds, the CPG Holder must collect and test one sample for each mapped soil unit before construction and must otherwise follow the same testing protocols.

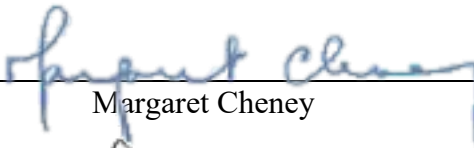
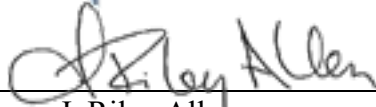
(iii) At the end of the decommissioning process, the CPG Holder must repeat the testing at the same locations tested before construction. If the post-decommissioning soil bulk density for any sample shows an increase in soil bulk density from preconstruction soil bulk density that is greater than 10%, then the CPG Holder must conduct agricultural subsoiling and/or other strategies to decompact soil until soil bulk density is materially the same as it was before Facility construction.

(b) The CPG Holder must serve test results upon AAFM within 60 days of the test by filing in ePUC or as follows: (i) by email to counsel of record in this matter, as listed in PUC records at the time of service; and (ii) by email to AGR.Notice@vermont.gov, as may be updated in PUC records at the time of service.

34. The CPG Holder must pay all invoices (if any) from any State agency that (a) are related to this proceeding and (b) are not still under review by the Commission.

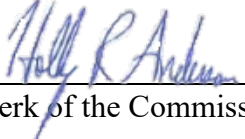
35. This CPG may not be transferred without prior approval of the Commission.

Dated at Montpelier, Vermont, this 26th day of June, 2026.

 _____))	PUBLIC UTILITY
Edward McNamara)	
)	
 _____))	COMMISSION
Margaret Cheney)	
)	
 _____))	OF VERMONT
J. Riley Allen)	
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OFFICE OF THE CLERK

Filed: June 26, 2026

Attest: 

Clerk of the Commission

PUC Case No. 26-0261-PET - SERVICE LIST

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