

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 26-0736-PET

Petition of Airport RD1 VT Solar, LLC, pursuant to 30 V.S.A. § 248, requesting a certificate of public good for a 4.975 MW electric generation facility in Fair Haven, Vermont	
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COMMENTS OF THE VERMONT DEPARTMENT OF PUBLIC SERVICE

On April 16, 2026, Airport RD1 VT Solar, LLC (“Petitioner”) filed a petition with the Vermont Public Utility Commission (“Commission”) pursuant to 30 V.S.A. § 248 for a Certificate of Public Good (“CPG”) (“Petition”) authorizing the construction and operation of a 4.975 MW (AC) solar generation installation to be located on a parcel of land off Airport Road in Fair Haven, Vermont (“Project”). Petitioner also requested a 30 V.S.A. § 202(f) determination by the Vermont Department of Public Service (“Department”) on the Project’s conformance with the Vermont Electric Energy Plan. The Department provides the following comments in support of the Project and will separately file a § 202(f) determination.

Based on its review of Petitioner’s filings, the Project involves the installation of solar panels within an approximately 19.1 acre section of the host parcel with an approximately 23.02 acre limit of disturbance.¹ The host parcel (SPAN# 216-070-11165) is approximately 105.21 acres and is owned by William Bischoff.² The site would be accessed by an existing farm road that would be upgraded with gravel and widened to 12 feet.³ Solar panels would be installed within two discrete fenced areas on fixed tilt galvanized metal racking with panels mounted between

¹ Prefiled Testimony of Geoff Martin at 3, 5. (the model and number of panels to be installed would be determined subsequent to issuance of a CPG).

² Martin pf. at 3; Advance submission-Airport RD1 VT Solar, LLC/4.975 MW-Fair Haven, Attachment B - 45-Day Notice Service List, Case No. 25-2880-AN, 11/18/2025.

³ Exhibit PET-SDG-2, 2. (“Site Plan”).

approximately three and fifteen feet above the ground.⁴ Petitioner clarified in a response to Department discovery that the facility is planned to be fenced and that the fence would comply with the National Electric Code. The fence would be an “eight-foot-high agricultural style fence”.⁵ The Project also involves the “installation of new power poles, underground power, equipment pads, transformers and electrical equipment, and storage of Primary Agricultural Soils (“PAS”).⁶ The Petition does not identify an off-taker for the electrical energy and renewable attributes to be produced by the Project.

The Project site is primarily proposed on open agricultural fields, approximately 505 feet from the nearest residence.⁷ The Project would require approximately 4.3 acres of tree and or vegetation clearing and storage of approximately 5.37 acres of impacted PAS.⁸ The Project is not located within a mapped 100-year floodplain or floodway or River Corridor.⁹ The Project involves approximately 4,397 cumulative square feet of impact on a Class II wetland buffer.¹⁰

Petitioner’s Site Plan includes “representative” UL 1741, IEEE 1547, and ISO-NE inverter compliant electrical components, indicating equipment selection will take place once a CPG is issued.¹¹ The Project would interconnect with Green Mountain Power’s (“GMP”) rebuilt Fair Haven Substation, approved by Commission Order of 12/11/2025 in Case No. 25-0593-PET. Petitioner would be responsible for conductor upgrades and monthly Supervisory Control and Data

⁴ *Id.* at 3 (An eight-foot-high agricultural style perimeter fence will enclose each array section. *In the event a fence is not used*, energized equipment rated for outdoor use will be secured by locked enclosure covers, also compliant with NEC code “Guarding of Live Parts.”) (emphasis added).

⁵ *Id.*; Site Plan at 5.

⁶ Prefiled Testimony Seth D. Goddard, 4.

⁷ Martin pf. at 4; Site Plan at 1.

⁸ *Id.* at 4; Goddard pf. at 4.

⁹ Prefiled testimony of Adam Crary, 4.

¹⁰ Crary pf. at 5-9.

¹¹ Ex. Equipment Data Sheets, Exhibit PET-GM-2, 5-6;

Acquisition costs required to interconnect the Project.¹² The Project's inverters, ground level, and underground electrical components would be installed within the 8' perimeter fence.¹³ Electrical lines from the site to the Project's interconnection point and between the Project's discrete fenced areas would be installed as overhead lines.¹⁴ Maximum daytime and nighttime noise power levels from the Project heard at nearby residences are anticipated to be 32.4 dBA and 15.8 dBA respectively without accounting for sound attenuation attributable to background noise, vegetation, or structures.¹⁵

Petitioner filed an Aesthetic and Orderly Development Analysis Report ("Report") conducted by Vanasse Hangen Brustlin, Inc. ("VHB") - supported by the Prefiled Testimony of Michael Willard, VHB's Vermont Director of Landscape Architecture - which concludes that the Project would not have an undue adverse impact on the aesthetics of the area.¹⁶

The Project does not violate any clearly written community standard [in either the Rutland County Regional Plan or the Fair Haven Town Plan] intended to preserve the aesthetics or scenic beauty of the specific area at and around the Project site. The Project would not be considered shocking or offensive to the average person because it is not sited in a prominent location, lessening potential visual impact from surrounding areas. The Petitioner has taken reasonable steps to mitigate the visual impact of the Project through development of a landscape mitigation plan, and siting of Project components to take advantage of topography, and natural screening from existing mature dense vegetation on the site.¹⁷

The Report also concludes that the Project would not "unduly interfere with the orderly development of the region", finding:

There are no specific local or regional land conservation measures that would apply

¹² Martin pf. at 11-12, 21; Feasibility Study for Airport Rd 1 VT Solar, LLC 4,975kW Solar Project, Exhibit PET-GM-4.

¹³ Exhibit PET-SDG-4, 2 ("Sound Study").

¹⁴ Site Plan at 2.

¹⁵ Goddard pf. 3; Sound Study at 1.

¹⁶ Aesthetic and Orderly Development Analysis Report - Airport RD1 VT Solar Project, Exhibit PET-MW-2, 21 ("Report").

¹⁷ *Id.* at 17-21.

to the Project, . . . the Project will not interfere with . . . local or regional recommendations regarding the proposed land use for this site . . . The plans . . . include statements supporting the use of renewable energy.¹⁸

Based on its review of the Petition, prefiled testimony, and exhibits, the Department concludes that the Project does not raise a significant issue with respect to the 30 V.S.A. § 248 criteria subject to the Department's review, including orderly development, need, system stability and reliability, economic benefit, aesthetics, public health and safety, municipal services, development effecting public investments, economic service by existing or planned transmission facilities, and compliance with the Vermont Electric Energy Plan and Commission Rule 5.900.

The Department concludes that the Project will not unduly interfere with the orderly development of the region given the provisions of the Rutland County Regional Plan and the Fair Haven Town Plan. The Project will not interfere with municipal services or public investments. Need for the Project is evident in that the Project would assist in achieving town, regional, and Vermont Comprehensive Energy Plan renewable energy goals by serving Vermont electric demand with in-state renewable energy. The Project will not adversely affect system stability and reliability and can be served by planned or existing transmission facilities. Petitioner will pay for line upgrades needed to interconnect the Project with GMP's Fair Haven Substation, which is anticipated to have sufficient hosting capacity to accommodate the Project. The Project will provide economic benefits in supporting local jobs during construction, increasing tax revenues, and paying for upgrades to GMP's infrastructure to enable the Project to connect to the grid.

While the Project will have an adverse impact on the aesthetics of the area, the impact will not be undue. The Project does not violate a clear written community standard intended to protect

¹⁸ *Id.* 22-31.

the scenic beauty of the Project site. Petitioner proposes reasonable aesthetic mitigation measures in siting the Project in an area that is not prominent with respect to surrounding landforms, largely screened from public views by existing vegetation, and near existing or permitted industrial land uses including a Vermont National Guard Facility, GMP's Fair Haven Substation, and an unrelated 20 MW solar project permitted by Commission Order of 11/17/2025 in Case No. 24-2945-PET. Further, Petitioner proposes landscape mitigation plantings along nearby public roads. the Project will not be so out of place with its surroundings as to be shocking or offensive to the average person.

The Project will not negatively impact public health or safety. If constructed in accordance with Petitioner's filings, the fenced Project will conform to the National Electric Code. The Project does not include underground electric lines beyond the perimeter fence. The anticipated noise levels from the Project would comply with Commission Rule 5.703(b). As Petitioner provided examples of "representative" electrical equipment, the Department requests that Petitioner provide supplemental filings identifying which inverters and other electrical equipment, once these components are determined.

Based on Petitioner's Decommissioning Plan, the Department is satisfied that the Petition meets the Commission's decommissioning requirements pursuant to Rule 5.900.

At the time of this filing, comments by members of the public were filed on the Petition or the associated advanced notice, Case No. 25-2880-AN.

The Department is aware of memorandums of understanding entered into by Petitioner with the Vermont Division for Historic Preservation, the Agency of Agriculture Food and Markets, and the Agency of Natural Resources.

Based on the foregoing, the Department respectfully recommends that the Commission

issue the requested CPG consistent with Petitioner's filings, subject to conditions agreed to by other State entities, without further hearings or investigation.

Dated at Montpelier, Vermont this 20th Day of August, 2026.

VERMONT DEPARTMENT OF PUBLIC SERVICE

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