


112 State Street  
4<sup>th</sup> Floor  
Montpelier, VT 05620-2701  
TEL: 802-828-2358



TTY/TDD (VT: 800-253-0191)  
FAX: 802-828-3351  
E-mail: [puc.clerk@vermont.gov](mailto:puc.clerk@vermont.gov)  
Internet: <http://puc.vermont.gov>

**State of Vermont  
Public Utility Commission  
MEMORANDUM**

To: Chelsea Solar, LLC  
From: John J. Cotter, Deputy General Counsel   
Re: 17-5024-PET – Notice of Complete Petition  
Date: December 4, 2017

---

On November 29, 2017, the Vermont Public Utility Commission (“Commission”) received your petition to construct a 2.0 MW solar electric generation facility off Willow Road in Bennington, Vermont.

Commission staff have determined that your petition is administratively complete. **Your case number** is 17-5024-PET.

However, Commission staff have identified a number of inconsistencies between the petition, testimony, and exhibits and the requirements of the recently adopted Commission 5.900, governing decommissioning of non-utility owned generation facilities.

Specifically, the inconsistencies consist of:

1. Failure to provide for removal of all facilities once they are no longer in service as required by PUC Rule 5.904(B)(1). Specifically, exhibit CS-BW-8 provides that all conduit at depths greater than 24” will be left in place, and the testimony of Brad Wilson at page 10 states that the gravel access road and perimeter fence may remain in place after decommissioning.
2. Failure to include a draft letter of credit, or a specific proposed alternative form of security as required by PUC Rule 5.904(B)(2) and (3).
3. Failure in the decommissioning fund estimate to identify with specificity the costs of each component of decommissioning as required in PUC Rule 5.904(B)(1)(a).
4. Failure in the decommissioning fund estimate to include the costs associated with removing the access road as required by PUC Rule 4.904(B)(1)(a)(ii);

5. Failure in the decommissioning fund estimate to include the name, job title, contact information, and qualifications of the individual who prepared the decommissioning cost estimate as required by PUC Rule 5.904(B)(1)(C);
6. Inclusion in section 4.2 of the decommissioning plan of the modifier “final” in reference to a Commission order requiring decommissioning of the project in contradiction of the requirements of PUC Rule 5.904(B)(2)(7).

Please update the relevant testimony and exhibits to correct the inconsistencies identified above no later than December 18, 2017. Failure to do so may result in rejection of your petition.

**Further, with the exception of those state agencies that will receive notice of and access to your petition via ePUC, you must provide a copy of your petition pursuant to 30 V.S.A. § 248(a)(4)(C) to all entities and persons entitled to receive such copies within 2 business days of this memorandum. Additionally, to the extent that you have not provided notice of the filing of the petition to all persons and entities entitled to receive such notice pursuant to PUC Rule 5.402(B), you must provide such notice within 2 business days of this memorandum. You must provide the case number when you provide copies and notice of the petition, as well as information on how members of the public may participate in this case. Notice shall include the following links to the Commission’s website:**

- for information on public participation through public comment or intervention:  
<http://puc.vermont.gov/document/section-248-procedures>, and
- for access to all documents in this case, using the above case number:  
<http://epuc.vermont.gov/>.

Please understand that acceptance of your petition does not constitute a determination on the merits of the petition. You may be required to provide additional information at a future date, if necessary.

PSB Case No. 17-5024-PET - SERVICE LIST

Parties:

Michael Melone, Esq.  
Allco Renewable Energy Limited  
1745 Broadway  
17th floor  
New York, NY 10019  
mjmelone@allcous.com

(for Chelsea Solar LLC)

Thomas Melone, Esq.  
Allco Renewable Energy Limited  
1745 Broadway  
17th floor  
New York, NJ 10019  
thomas.melone@gmail.com

(for Chelsea Solar LLC)