

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Petition of Chelsea Solar LLC, pursuant to)
30 V.S.A. § 248, for a certificate of public)
good authorizing the installation and)
operation of the “Chelsea Solar Project,” a)
2.0 MW solar electric generation facility)
located off Willow Road in Bennington,)
Vermont)

Docket No. 17-5024-PET

**MOTION TO STRIKE A PORTION OF SECOND SUPPLEMENTAL
PREFILED DIRECT TESTIMONY OF BRAD WILSON**

NOW comes Libby Harris, *pro se*, and Apple Hill Homeowners Association represented by Lora Block, *pro se* and move to strike a portion of the second supplemental prefiled direct testimony of Brad Wilson.

On page 2, lines 6 – 8, Petitioner claims that Intervenor Harris “has objected to access from the south off of Willow Road.” This statement mischaracterizes the issue raised by Harris in Harris’s “Response to Request for Response to Chelsea Solar Standard Offer Contract Extension, Nov. 17, 2017” [Exhibit LH/AHHA-A] which is the only document in which Harris made a comment on Willow Road in Chelsea Solar. On p. 11, Harris states:

The amended plans show that the projects *will* share a common road, Willow Road. The application materials show that both projects are to be constructed, operated and maintained by the same road. Therefore, Harris contends that one of them should again be rejected as not complying with the requirements of the Standard Offer program as determined by the Vermont Supreme Court in its 2014 decision.

In comments on the standard-offer extension request, Harris raised a legal issue question regarding the Petitioner’s application materials showing two contiguous 2 MW

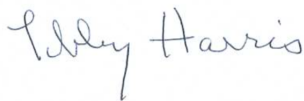
standard-offer projects proposing to construct and operate both projects using common infrastructure, including the same road. Petitioner has mischaracterized Harris's statement in a separate case, without providing the accurate statement made by Harris regarding the use of Willow Road as a legal question, not an objection.

Furthermore, Harris corresponded with Petitioner Thomas Melone in November and December 2017 [see Exhibit LH/AHHA-B] restating the position of Harris and AHHA that the use of any lands for commercial development that are part of Apple Hill contain deed restrictions that prohibit the conduct of commercial activities. Subsequent to that correspondence, Chelsea Solar submitted Brad Wilson's second supplemental prefiled direct testimony proposing an alternative to Willow Road using lands under the control of Petitioner which would violate the property's deed restrictions prohibiting commercial usage.

Therefore, Harris and AHHA hereby move to strike the portion of Brad Wilson's second supplemental prefiled direct testimony that mischaracterize the position of Harris regarding the use Willow Road.

Dated at Bennington, Vermont this 17th day of April, 2018.

Respectfully submitted,



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