

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 17-5024-PET

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 on Willow Road in Bennington, Vermont	
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Order entered: 06/18/2018

REQUEST FOR COMMENT RE ALTERNATE SITE PLAN

On February 14, 2018, Chelsea Solar LLC (“Chelsea”) filed the second supplemental prefiled direct testimony of Brad Wilson and exhibit CS-BW-28, an alternate site plan for the proposed project (the “Project”). The alternate site plan includes both an eastern gate for the Project site to be used for operations and maintenance activities after the Project is constructed and an alternate location for the interconnection equipment pad. In his testimony, Mr. Wilson states that “[t]his alternative access scenario addresses the concern raised by Libby Harris in docket 17-4695-PET, who has objected to access from the south off of Willow Road.”¹

On May 11, 2018, Chelsea filed responses to the first set of information requests from the Vermont Agency of Natural Resources (“ANR”). In those responses, Chelsea stated that the alternative access scenario was filed in case the Commission directs it: “[i]f the alternative gate is required by the [Vermont Public Utility Commission (“Commission”)].”²

On June 13, 2018, in response to ANR’s second set of information requests, Chelsea reiterated this statement in response to other questions about the “alternative” access.³

It appears that Chelsea has provided the alternative site plan as a response to Ms. Harris, and the alternative site plan may be required by the Commission. None of the parties have objected to admitting the alternative site plan to the evidentiary record. However, the

¹ Brad Wilson, Chelsea pf. supp. 2/14/18 at 2. In case no. 17-4605-PET, along with other public comments, Ms. Harris asserted that the fact that the proposed Chelsea project would share a common road with the proposed Apple Hill project would not comply with *In re Programmatic Changes to the Standard-Offer Program*, 196 Vt. 175 (2014) (finding that the original Chelsea and Apple Hill projects were separate standard-offer projects because they did not share infrastructure, such as a common access road).

² Petitioner’s Responses to ANR’s First Set of Information Requests, dated 5/11/18, at 2-5.

³ Petitioner’s Responses to ANR’s Second Set of Information Requests, dated 6/13/18, at 2-5.

February 14, 2018, filing is unclear as to how the Applicant is offering the alternative site plan in relation to the original site plan. Further, as highlighted by ANR's information requests, the February 14, 2018, filing is incomplete and does not sufficiently address the Section 248 impacts of the proposed alternate plan. Finally, neither the February 14, 2018, filing, nor any subsequent filing by Chelsea, seek a ruling by the Commission that would require the alternative site plan.⁴

Based on the foregoing, I direct the parties, by the close of business on Friday, July 6, 2018, to comment on Chelsea's February 14, 2018, filing and to brief the issue of whether the alternative site plan should be required by the Commission. If it is Chelsea's intention to offer the alternate site plan as an amendment to the Project site plan, Chelsea should also file additional testimony and exhibits, pursuant to Commission Rule 2.208, to show the proposed amendment's impacts on the Section 248 criteria.

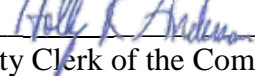
SO ORDERED.

Dated at Montpelier, Vermont this 18th day of June, 2018 .


 Michael E. Tousley, Esq.
 Hearing Officer

OFFICE OF THE CLERK

Filed: June 18, 2018

Attest: 
 Deputy Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

⁴ In response to Ms. Harris's public comments in case no. 17-4695-PET, the Commission sought responses from the parties to that case. The parties responded but did not address this element of Ms. Harris's comments, and the Commission did not respond to this comment in its March 15, 2018, order granting the contract milestone extension. See *Petition of Chelsea Solar, LLC for relief from standard-offer contract milestone*, case no. 17-4695-PET, order of 3/15/18, at 4.

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