

April 1, 2020

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Judith C. Whitney
Clerk of the Commission
Vermont Public Utility Commission
112 State Street
Montpelier, VT 05620-2701

***RE: Case No. 20-0789-INV
Response to March 30, 2020 Amended Order Waiving Three Procedural
Requirements That Require Close Personal Contact***

Dear Commissioners:

Green Lantern appreciates the Commission's attention to the myriad complications that the COVID-19 pandemic has caused. In furtherance of those efforts, we request that the Commission consider expanding the March 30, 2020 Amendment as follows.

Rule 5.100's requirement to mail hard paper copies of entire Applications for Certificates of Public Good to every abutter is an outlier in Vermont's administrative structure relating to project applications.¹ Further, given the availability of virtually all Commission filings through ePUC, it is also largely anachronistic.

Given the current restrictions on business' access to production facilities and the need to protect the health and safety of administrative staff (not to mention reducing the enormous resources in time and materials required to prepare these packages even in the best of times), please consider revising the rules to allow applicants to use the following procedures:²

1. A paper Notice will be mailed to each abutter, accompanied by a full copy of the CPG Application on a USB stick and/or CD or DVD and a color 11'x17' paper copy of the proposed Site Plan.

¹ See, e.g., Commission Rule 5.402, which covers nuclear and large transmission projects including gas pipelines and high voltage lines, etc., and only requires that abutters receive a letter notifying them that they can access the Commission's website and advises where they can obtain hard copies should they want to review. Act 250 requires a similar degree of notice to adjoining landowners for commercial development. See 10 V.S.A. § 6084(b)(1); Act 250 Rule 10(G) (stating that notice to adjoiners need only contain the applicant's name and address, the location of the proposed development, the date the application was filed, and the District Commission that received the filing).

² The proposed procedures are not without Commission precedent. *Request of Bullrock Solar, LLC, pursuant to Commission Rule 2.107, for a waiver of certain net-metering service requirements in connection with a proposed 80 kW solar net-metered electric generation facility to be located at 705 Spear Street in South Burlington, Vermont*, Case No 19-1290-PET, Order Granting Partial Waiver of Commission Rule 5.107(E), May 30, 2019.

2. The paper Notice will contain the following information:
 - a. a brief description of the Project;
 - b. the case number;
 - c. an explanation that the contents of the Application are accessible on the enclosed electronic media;
 - d. information on how members of the public may participate in the case, including relevant links to the Commission's website;
 - e. relevant contact information for questions, and
 - f. an explanation that a paper copy of the Application (i) will be provided promptly upon request and (ii) is available for review at the relevant Town Clerk's office (assuming social distancing is no longer required).
3. The Notice and a hard paper copy of the entire Application will be mailed to the relevant Town Clerk's office.

We do believe this should be a permanent change to the Rule, but for the immediate future would request that it be implemented for the next 120 days. Our request herein is consistent with the Commission's prudent extension of time for project commissioning set out in its March 27, 2020 ORDER GRANTING EXTENSION OF COMMISSIONING DEADLINES in this Case.

Thank you for your consideration.

Respectfully,

GREEN LANTERN DEVELOPMENT, LLC



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