

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Case No. 20-0789- INV

Vermont Public Utility Commission orders and memoranda issued in response to COVID-19 pandemic

COMMENTS OF ALLEARTH RENEWABLES

AllEarth Renewables (“AER”) offers these comments in accordance with the Vermont Public Utility Commission (“Commission”) Order of April 30, 2020 in this matter, in which the Commission indicates it “is considering whether it would be appropriate to grant a one-year extension of all commissioning deadlines for net-metering and standard-offer projects whose commissioning deadlines fall on or after March 25, 2020 through December 31, 2020.”

AER supports the extension as described in the April 30th Order, provided that any such extension is without prejudice to prospective further commissioning date extensions on either a generic or individual project basis. As the Commission recognizes in the Order, supply chain disruptions and the terms of the Governor’s Stay Home, Stay Safe Order and addenda have impacted and will continue to impact the construction and interconnection of new electric generating facilities in Vermont. Moreover, the duration of the pandemic in the state, the country and the world remains highly uncertain. Extension of Commissioning deadlines as suggested by the Commission, with the caveat that further ones may be sought, recognizes these realities.

Lastly, AER further suggests and requests that the Commission also extend the abandonment provision of Commission Rule 5.110(C) from one year to two with respect to all existing net metering registrations as well as those filed between now and September 30, 2020. Rule 5.110(C) provides:

(C) Abandonment. Non-use of a CPG for a period of one year following the date the CPG is issued will result in the revocation of the CPG. For the purpose of this section, for a CPG to be considered used, the net-metering system must be commissioned. An extension of time will only be granted upon written request and for good cause shown. Prior to construction, a certificate holder may abandon a CPG at any time upon written notice thereof to the Commission, the Department, the Agency of Natural Resources, and the electric company.

The COVID-19-related considerations that make commissioning extensions appropriate apply with equal force in this context. The backlog of work that renewable energy enterprises and utilities will face will likely be substantial, and accompanied by uncertainty as to the timing, scope and potential future interruptions to the performance of that work. The temporary lengthening of the abandonment period under Rule 5.110(C) as proposed here by AER would proactively address and mitigate that uncertainty, falls squarely within the authority of the

Commission under Commission Rule 2.107 to waive the application of its rules for good cause, and will promote the well-being of Vermonters by facilitating energy planning, business planning and compliance with the state's renewable energy mandates and objectives as set forth in statute.

Thank you for this opportunity to comment. If the Commission prefers that the AER request relative to Rule 5.110(C) be set forth separately from the Commission extension issue set out in the April 30th Order, AER is happy to make its request in a separate filing.

Dated this 12th day of May, 2020.

AllEarth Renewables, Inc.

By: /s/ *David Mullett*

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