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July 9, 2020

Judith Whitney, Clerk  
Vermont Public Utility Commission  
Peoples United Bank Building, 4<sup>th</sup> Floor  
112 State Street  
Montpelier, VT 05620-2701

**Filed in ePUC**

Re: Vermont Public Utility Commission Orders and Memoranda Issued In Response To  
COVID-19 Pandemic- Comments on Waiver of Rule 5.508(B) For Certain Execution  
Deadlines  
Case No: 20-0789

Dear Ms. Whitney:

On June 18, 2020, the Public Utility Commission (“Commission”) issued a Memorandum requesting comment on whether to extend certain interconnection agreement deadlines that fall between March 25, 2020 and December 31, 2020 in light of the COVID-19 pandemic. Green Mountain Power (“GMP”) submits the following responses to the Commission’s questions.

- *What effect would granting the requested waiver have on the interconnection process, including the utilities’ performance of studies for future projects and on the utilities’ management of their interconnection queues?*

Extending the Generation Interconnection Agreement (“GIA”) execution deadline and/or the project commissioning deadline would allow projects that may never be built to stay in the queue longer than they already can under the existing rules. This would allow projects to reserve capacity and potentially prevent other projects from moving ahead or prompt other projects to pay for upgrades in order to be able to move ahead.

- *Could the issue raised by Triland also be addressed by extending the deadline for commissioning a facility that has an executed interconnection agreement?*

Yes, we believe extending the deadline for commissioning a facility with an already executed interconnection agreement effectively and efficiently addresses the issue raised by Triland.

- *What would be the ramifications of extending the commissioning deadline as opposed to the interconnection agreement execution deadline?*

The interconnection agreement execution deadline is driven by Rule 5.508(B)(10), whereas the commissioning is a utility-driven date in the GIA. From GMP's perspective, it is both more efficient and more positive for the development of projects in the state overall to allow Triland's concern to be addressed where warranted through extending commissioning deadlines, an issue already managed between developers and utilities (see answer to next question).

- *What are the utilities' current practices with respect to interconnection agreements whose facilities are not commissioned within one year of the agreements' execution as a result of the COVID-19 pandemic?*

At this time, we are not aware of any projects that have missed the commissioning deadline specifically due to COVID-19. It generally is our practice to grant requests for an extension to the commissioning deadline so long as the project is otherwise moving forward. GMP would similarly expect to grant a request for an extension were it shown that a project that otherwise expected to move forward has been delayed due to COVID-19.

- *What effect do these practices have on a facility's interconnection queue position?*

If a project misses the GIA execution deadline, it is removed from the queue and would lose its queue position, allowing other projects to move up. The project would then have to reapply for interconnection and go through the study process again based on its new queue position if it intends to move forward.

- *Do the utilities need authority from the Commission to address the issue raised by Triland or do the interconnection agreements' standard terms and conditions allow the issue to be addressed?*

Because the project commissioning deadline is prescribed in the GIA between the utility and the interconnector, the parties (the utility and the interconnector) can agree to extend the commissioning deadline defined in the GIA; that is the process GMP has used in the past. If instead the Commission believed that extending the date for execution of the GIA were an appropriate course, a waiver or amendment to Rule 5.508(B) would be required.

- *Are there any other factors that the Commission should consider when evaluating Triland's request?*

A blanket waiver of the provisions of Rule 5.108(B)(10) does not seem warranted and is not necessary to protect a project that cannot be commissioned due to COVID-19. The time to execute a GIA is triggered by the completion of studies under Rule 5.508(B)(10), studies which rely upon known and current conditions. Once presented with a GIA, the

Mrs. Susan Hudson, Clerk

July 9, 2020

Page 3

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interconnector has one year to execute it, showing its intent to proceed. GMP recognizes that a project's construction schedule could be impacted by COVID-19. If a project cannot be constructed or otherwise commissioned due to the pandemic, an extension of the commissioning deadline in the GIA would sufficiently protect an interconnector from losing its queue position due to COVID-19.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carolyn B. Anderson". The signature is fluid and cursive, with the first name being the most prominent.

Carolyn Browne Anderson

CBA