

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Vermont Public Utility Commission orders and memoranda issued in response to COVID-19 pandemic	
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**RESPONSE TO ORDER REQUESTING COMMENTS
ON POTENTIAL FURTHER EXTENSION OF COMMISSIONING DEADLINES**

Green Lantern Development, LLC (“Green Lantern”) submits these comments in response to the Commission’s November 25, 2020 ORDER REQUESTING FURTHER COMMENTS ON POTENTIAL FURTHER EXTENSION OF COMMISSIONING DEADLINES in the above-captioned Case.

As a longtime and active participant in Vermont’s renewable energy economy, with almost 100 successful solar and solar+storage projects in Vermont dating from 2011, Green Lantern appreciates the Commission’s continued efforts to ameliorate the ongoing adverse impacts of the COVID-19 pandemic.

Green Lantern’s position is that it would be highly appropriate for the Commission to grant a one-year extension of all commissioning deadlines for net-metering and standard-offer projects, but proposes a slightly longer time frame of December 31, 2020 through June 1, 2021 (the Commission has suggested December 31, 2020, through March 1, 2021). If such an extension were granted, Green Lantern supports the determination that the new commissioning deadlines would be “one year from the last commissioning deadline established for a project” as suggested by the Commission in its November 25 Order.

The pandemic’s impacts have been far-reaching, and continuous. The most obvious impacts have been on equipment and material supply chains, resulting in unavailability and longer lead times. Also, quarantine requirements, close-contact restrictions, and travel restrictions change

frequently in response to changing caseloads. Further compounding the situation, unanticipated construction-related delays and challenges have continued to arise.¹

Behind the scenes, less visibly, the project financing process has become significantly slower and more complicated: many town office and land records offices have limited hours or are by-appointment only. Additional stresses on the ability to conduct land records searches are compounded by historically low interest rates, record numbers of refinances, and a hot real estate market² that has clearly overwhelmed some town land record systems. For example, in one instance, a document that Green Lantern provided to a town clerk for recording in September has still not been recorded due to the backlog of filings. Municipal boards are meeting remotely, sometimes only by conference call (for instance, making presentations difficult) and in some cases are meeting less frequently.

On the customer side of the net-metering program (from Green Lantern's perspective as a commercial-scale developer), customers of all types who have expressed interest in participating in the net metering program have delayed decisions as they reckon with the pandemic's impacts: Private business have deferred purchasing net metering credits and in at least one case, a customer decided to indefinitely put off committing to an entire 500 kW project due to the financial impact of the pandemic on their business. Administrators of schools and school districts (which constitute a significant portion of the customer base for net-metering projects) have made clear that they have extremely limited bandwidth to devote to considerations outside of mission-critical pursuits, as

¹ See, e.g., *Petition of Middle Road Solar LLC to extend the commissioning deadline in Case No. 18-0901-NMP*, Case No. 20-3547-PET.

² The Vermont Association of Realtors reported the following year over year increases:

housing prices	23.7%,
new listings	29.9%,
pending sales	+ 70%

<https://www.vermontrealtors.com/vermont-real-estate-market-report-sept-2020/>

they are consumed with dealing with the fast-changing realm of COVID-related student, staffing and pandemic-control issues (and rightly so). Finally, the well-documented recent uptick in cases, and a predicted increase over the winter, suggests that the impacts of the pandemic are far from over and could worsen over the next six months before they ultimately start abating.

The extension of commissioning deadlines is an appropriate and fair response, and we encourage the Commission to take this step. However, Green Lantern suggests that the time frame proposed by the Commission of December 31, 2020 through March 1, 2021 is too short given the dire warnings of a potentially catastrophic rise in nationwide and global cases over the next several months that could derail any fragile recovery before it has the chance to take hold.³

Green Lantern therefore suggests that the Commission act conservatively and extend all commissioning dates for projects whose most recent commission deadline is between December 31, 2020 and June 1, 2021.

Waterbury, VT
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Respectfully submitted,



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³ A survey of epidemiologists conducted by the New York Times suggests that even with a vaccine program in place, it will likely be summer before the country sees a return to normalcy:

A minority of the epidemiologists said that if highly effective vaccines were widely distributed, it would be safe for Americans to begin living more freely this summer: "I am optimistic that the encouraging vaccine results mean we'll be back on track by or during summer 2021," said Kelly Strutz, an assistant professor at Michigan State University.

<https://www.nytimes.com/2020/12/04/upshot/epidemiologists-virus-survey-.html>