

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case No. 21-2939-NMP

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Petition of Randolph Davis Solar LLC for a certificate of public good, pursuant to 30 V.S.A. §§ 248 and 8010, authorizing the installation and operation of a 500 kW group net-metered solar electric generation system in Randolph, Vermont	
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Order entered: 11/30/2021

**REQUEST FOR ADDITIONAL INFORMATION AND RESPONSE TO COMMENTS**

**I. INTRODUCTION**

This case concerns an application filed with the Vermont Public Utility Commission (“Commission”) by Randolph Davis Solar LLC (“Applicant”) to construct and operate a 500 kW group net-metered solar electric generation system in Randolph, Vermont (the proposed “Project”). Comments, intervention requests, and requests for hearing were due on October 25, 2021.

On October 20, 2021, the Vermont Agency of Natural Resources (“ANR”) filed comments on the Project. ANR recommends that the Commission include a condition related to streams and supports the inclusion of the Petitioner’s proposed conditions 12 through 15 in any CPG that the Commission issued for the Project.

On October 21, 2021, the Vermont Division of Historic Preservation filed comments concluding that the Project will have no effect on any historic sites listed in or eligible for inclusion in the State Register of Historic Places.

On October 25, 2021, the Vermont Agency of Agriculture, Food, and Markets (“AAF”) filed a notice of intervention form and comments on the Project. AAFM requests that any CPG issued for the Project include conditions to mitigate potential impacts on primary agricultural soils.

Also on October 25, 2021, Joan Allen and Michael Binder submitted comments and a motion to intervene in this proceeding. Joan Allen and Michael Binder are adjoining landowners

and raise concerns related to the Project's conformance with the Randolph Town and Plan and natural resources.

The Vermont Department of Public Service ("Department") also filed comments on the Project on October 25, 2021. The Department requests that the Commission include a CPG condition requiring the Petitioner to file the actual safety precautions used prior to commencing operations. The Department supports the recommendations of ANR and AAFM. The Department also requests that the Petitioner address whether the Project is sited in "lands over 25% slope" as is prohibited for all energy generation facilities per Chapter 6 of the Randolph Town Plan and, if so, whether the Petitioner has addressed this issue with the Town of Randolph.

On November 8, 2021, the Department filed comments recommending that the Commission treat the motion of Joan Allen and Michael Binder as a notice of intervention under Rule 5.117(B). No other comments on the motion to intervene were filed.

In today's Order, I request additional information from Joan Allen and Michael Binder and set a deadline for the Petitioner to respond to the filings received in this proceeding.

## **II. REQUEST FOR ADDITIONAL INFORMATION FROM JOAN ALLEN AND MICHAEL BINDER**

Joan Allen and Michael Binder have intervened in this proceeding as adjoining landowners.<sup>1</sup> They are requested to clarify whether they are requesting an evidentiary hearing in this matter. A hearing is not required for the Commission to consider the issues raised in Joan Allen and Michael Binder's written comments but they may request a hearing if they wish to present their own evidence or cross examine any of the Petitioner's witnesses. Joan Allen and Michael Binder are requested to respond to this information request by December 14, 2021.

## **III. DEADLINE FOR PETITIONER TO RESPOND**

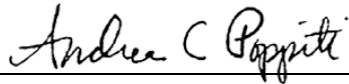
The Petitioner is directed to provide a response to all filings received in this proceeding by December 22, 2021. The Petitioner is requested to specifically address the questions and comments raised in Joan Allen and Michael Binder's October 25, 2021, filing.

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<sup>1</sup> Commission Rule 5.117(B)(3) provides that certain entities and adjoining landowners will be granted party status by the Commission upon the filing of a notice of intervention. I am treating the motion to intervene filed by Joan Allen and Michael Binder as a notice of intervention.

**SO ORDERED.**

Dated at Montpelier, Vermont, this 30th day of November, 2021.



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Andrea C. Poppiti  
Hearing Officer

OFFICE OF THE CLERK

Filed: November 30, 2021

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](mailto:puc.clerk@vermont.gov))*

PUC Case No. 21-2939-NMP - SERVICE LIST

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