

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 21-2939-NMP

Petition of Randolph Davis Road Solar LLC for a Certificate of public good, pursuant to 30 V.S.A. §§ 248 and 8010, authorizing the Installation and operation of a 500kW group Net-metered solar electric generation system in Randolph, Vermont	
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MOTION TO CHANGE SCHEDULE

Now come Neighbor Intervenors Michael Binder and Joan Allen, *pro se*, and respectfully request that the proceedings in the Schedule Order of February 25, 2022 be rescheduled.

In order for Neighbor Intervenors to prepare their Pre-Filed Testimony on 4/22/22, they need to see, and have time to evaluate:

- 1) The information requested in the Hearing Officer's 4/4/22 Order for Additional Information, and
- 2) A report by Intervenor's Wetlands Expert, as requested in Intervenor's 3/29/22 Motion to Dismiss/Stay¹, and
- 3) A Site Plan that FULLY COMPLIES with the filing requirements of Rule 5.107.²

Neighbor Intervenors have not yet been provided with all the information they require, and are entitled to, so that they may prepare their Pre-filed Testimony. Therefore, Neighbor Intervenors respectfully request that the Hearing Officer postpone the Non-Petitioners Pre-filed Testimony and subsequent proceedings until 3 weeks after:

- 1) Petitioner complies with the Hearing Officer's Order of 4/4/22 for Additional Information, and
- 2) The Commission rules on Neighbor Intervenors' Motions to Dismiss/Stay.

¹ The presence, as seen on the 3/25/22 Site Visit, of non-delineated streams on the Site, and of Cattails growing in the Staging Area, suggest that it is likely that the Petitioner's filing is deficient and that the Intervenor's Wetland Expert may find it to be deficient. Also, the Neighbor Intervenor's Vernal Pool Complex is contiguous to the Limits of Disturbance and has not been delineated by the Petitioner's Wetland Expert.

² This involves details of culverts, water bars, stone dams, and road cross sections as described in the Intervenor's Motions to Dismiss/Stay of 3/1/22 and 3/29/22.

Neighbor Intervenors contacted Petitioner, ANR and DPS attorneys and received no response from Petitioner or ANR attorneys. DPS attorney suggested we file this Motion to Change Schedule.

Thank you for your attention to this matter.

Dated at Randolph, Vermont, this Sixth day of April, 2022.

/s/ Joan Allen
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