

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: 12/22/2022

PROCEDURAL ORDER RE: REQUEST FOR JUDICIAL NOTICE

This proceeding concerns an application filed by Randolph Davis Solar LLC (“Petitioner”) with the Vermont Public Utility Commission (“Commission”) for a certificate of public good (“CPG”) to construct and operate a 500-kW solar group net-metering system in Randolph, Vermont (the proposed “Project”).

On October 31, 2022, I issued an information request asking the Vermont Agency of Natural Resources (“ANR”) to address the Project’s compliance with stormwater management regulations. On November 14, 2022, ANR filed a response stating that it would address the information request through briefing.

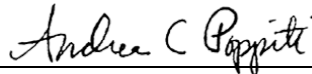
On December 19, 2022, ANR filed a request¹ that the Commission take official notice of the following judicially cognizable facts: 1) the Vermont Department of Environmental Conservation’s (“DEC”) authorization of the Petitioner’s Notice of Intent (“NOI”) for the discharge of stormwater runoff at the proposed project site, issued on October 25, 2022; 2) the site plan map submitted by the Petitioner in support of its NOI filed with DEC; and 3) the DEC Low Risk Site Handbook for Erosion Prevention and Sediment Control. ANR states that these materials are critical its response to the Hearing Officer’s request, and noticing the materials will allow the Commission to make findings of fact related to this issue pursuant to 3 V.S.A. § 809(g).

¹ I have interpreted the Petitioner's request as a motion and the Clerk of the Commission has moved the filing into the proper location in ePUC. The Petitioner is reminded that such requests must be filed as a motion consistent with Commission Rule 2.206.

Any responses to ANR's request for judicial notice may be included in the parties' initial briefs, due January 12, 2023.

SO ORDERED.

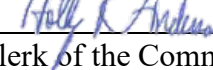
Dated at Montpelier, Vermont, this 22nd day of December, 2022.



Andrea Poppiti
Hearing Officer

OFFICE OF THE CLERK

Filed: December 22, 2022

Attest: _____
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)

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

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