

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 21-2939-NMP

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: 01/09/2023

ORDER RE: REQUEST FOR CLARIFICATION

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 and other issues raised in testimony by Michael Binder and Joan Allen (the “Intervenors”). 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 request that the Commission take official notice of the following documents: 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.

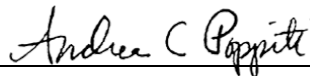
On December 22, 2022, I issued an Order asking that any responses to ANR’s request for judicial notice be included in the parties’ initial briefs, due January 12, 2023.

On December 23, 2022, the Intervenors filed a request for clarification of ANR’s December 19 filing. The Intervenors argue that the documents included with ANR’s request for judicial notice are not responsive their concerns regarding locating solar panels on steep slopes. The Intervenors request that ANR clarify whether it will provide a responsive reply.

The Intervenors' December 23 request for clarification does not request that the Commission grant any relief. Accordingly, it is not necessary for parties to file responses to the Intervenors' filing with the Commission. ANR has requested that the above-referenced documents be admitted into the record so that those documents may be used to respond to the questions raised in my October 31 Information Request. The Intervenors' request for clarification raises arguments that should be addressed during the briefing process. Specifically, if the Intervenors disagree with any position taken by ANR's in this proceeding, the Intervenors may address those positions in their initial brief, due on January 12, 2023, and in their reply brief, due on January 26, 2023.

SO ORDERED.


Dated at Montpelier, Vermont, this 9th day of January, 2023.



Andrea Poppiti
Hearing Officer

OFFICE OF THE CLERK

Filed: January 9, 2023

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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