

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

CPG No. 16-0042-NMP

Application of Orchard Road Solar I, LLC for a certificate of public good, pursuant to 30 V.S.A. §§ 219a and 248, for a 500 kW interconnected group net-metered solar electric generation system in Middletown Springs, Vermont	
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Order entered:

8/14/2018

ORDER STAYING THE PROCEEDINGS

On July 20, 2018, the Vermont Public Utility Commission (“Commission”) issued an Order reopening the record and directing the hearing officer to oversee a supplementary evidentiary proceeding on whether the two alternate sites identified by the Applicant are “generally available” such that “a reasonable person” would select one of these sites “to improve the harmony of the proposed project with its surroundings.”¹ Specifically, the Commission directed Orchard Road Solar I, LLC (the “Applicant”) to file certain information about the proposed project related to potential alternate sites by no later than August 15, 2018.

On August 9, 2018, the Applicant filed a motion for a stay in the proceeding representing that it was agreed to by all the parties. The Applicant’s filing also included information related to the presence of wetlands at one of the alternate sites. The Applicant represents that it and the Vermont Agency of Natural Resources (“ANR”) are in consultation as to whether that alternate site should be classified as a Class II or Class III wetland. The stay would allow for an ANR site visit and resolution of the wetland classification question.

The Applicant states that it will file a report with the Commission by September 21, 2018, indicating whether there is a basis to continue the requested stay, including whether it anticipates filing a revised application, or in the alternative, proposing a future schedule for this proceeding.

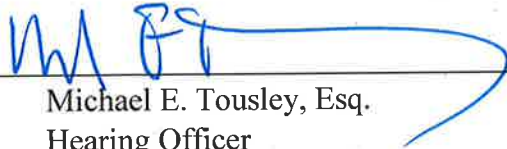
The Applicant’s motion does not answer the questions the Commission asked in its July 20, 2018, Order reopening the proceeding. While it addresses the wetland site, the motion provides no information regarding the non-wetland alternate site.

¹ *In re Halnon*, 174 Vt. 514, 515, 811 A.2d 161, 163 (2002).

This proceeding is stayed. The Applicant is directed to file a status update addressing both alternate sites by no later than September 21, 2018.

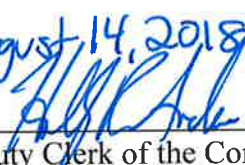
SO ORDERED.

Dated at Montpelier, Vermont, this 14th day of August, 2018.



Michael E. Tousley, Esq.
Hearing Officer

OFFICE OF THE CLERK

Filed: August 14, 2018
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)