

STATE OF VERMONT  
PUBLIC UTILITY COMMISSION

Case 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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Entered:

6/13/2019

**CERTIFICATE OF PUBLIC GOOD (“CPG”) ISSUED**  
**PURSUANT TO 30 V.S.A. SECTIONS 219a & 248**

IT IS HEREBY CERTIFIED that the Vermont Public Utility Commission (“Commission”) this day found and adjudged that the installation and operation of a 500 KW solar electric generation facility at Orchard Road in Middletown Springs, Vermont (the “Project”) by Orchard Road Solar I, LLC (“CPG Holder”), in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State, subject to the following conditions:

1. Construction, operation, maintenance, and decommissioning of the Project shall be in accordance with the plans and evidence submitted in this proceeding. Any material deviation from these plans or a substantial change to the Project must be approved by the Commission. Failure to obtain advance approval from the Commission for a material deviation from the approved plans or a substantial change to the Project may result in the assessment of a penalty pursuant to 30 V.S.A. §§ 30 and 247.

2. The net-metering system shall comply with applicable existing and future statutory requirements and Commission Rules and Orders.

3. Before beginning site preparation or construction of the Project, the CPG Holder shall obtain all other necessary permits and approvals. Construction, operation, and maintenance of the Project shall be in accordance with such permits and approvals, and with all other applicable regulations, including those of the Vermont Agency of Natural Resources (“ANR”).

4. Before beginning construction or site preparations, the CPG Holder shall file with the Commission, the parties, and the Town of Middletown Springs a letter stating that it has fulfilled all requisite CPG conditions, and that it intends to commence construction of the Project.

5. The CPG Holder shall restrict construction activities and related deliveries to the hours between 7:00 A.M. and 7:00 P.M. Monday through Friday and between 8:00 A.M. and 5:00 P.M. on Saturdays. No construction activities shall occur on Sundays or state or federal holidays.

6. Before operating the Project, the CPG Holder shall enter into an interconnection agreement with Green Mountain Power Corporation that conforms to the requirements of Public Utility Commission Rule 5.500. The CPG Holder shall be responsible for the cost of electrical system upgrades reasonably necessary to implement interconnection for the Project and such other costs appropriately submitted to the CPG Holder in accordance with Commission Rule 5.500.

7. Pursuant to 30 V.S.A. § 219a(d)(3), the installation of the net metering system shall be completed within one year of the date the CPG is issued unless otherwise ordered by the Commission.

8. All landscaping shall be installed within one calendar year after the completion of construction. The plantings proposed for the southern border of the Project site (meaning the proposed landscaping running perpendicular to Orchard Road) will be located within the shaded area indicated on exhibit ORS-MK-6 (Fig. 7 Rev.2), but the exact location of the plantings within this shaded area will be agreed upon by Mr. Lattuca and the CPG Holder after construction so as to minimize visibility of the Project from Mr. Lattuca's residence. The CPG Holder shall maintain the landscaping for the life of the Project, promptly replacing any plantings that are dead or dying.

9. When all planting is complete, and at the first, second, third, and fifth anniversaries of the date when all planting is complete, the CPG Holder shall inspect the mitigation landscaping and file a compliance report with the Commission confirming that the landscaping complies with the proposed plan and that any necessary replacements of dead or dying plants have been made. This compliance reporting will either be done by a landscape professional engaged by the CPG Holder, or by a landscape professional engaged by Mr. Lattuca at the CPG Holder's expense, at the CPG Holder's option.

10. The CPG Holder shall ensure that fencing around the array is comprised of a game-style fence incorporating wooden fenceposts and either black or galvanized wire comprising squares of approximately six inches or smaller.

11. The CPG Holder shall file with the Commission, and keep updated with prompt filings, any changes in the contact information (name, address, phone, email) for whom to contact regarding any issues that may arise regarding the mitigation landscaping throughout the life of the Project. If the CPG Holder files a request for a transfer of CPG that is approved by the Commission, this shall constitute compliance with this condition.

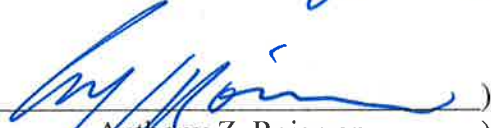
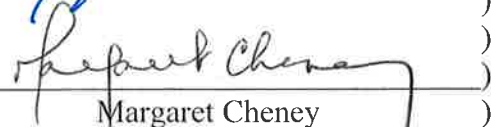

12. As required by 30 V.S.A. § 248(a)(7), within 45 days of the date of this Order, the CPG Holder shall record a notice of the CPG on the form available at <http://puc.vermont.gov/document/cpg-municipal-notice-form> in the land records of each municipality in which a facility subject to the CPG is located. The CPG Holder shall also file proof of this recording with the Commission.

13. As provided in 30 V.S.A. § 248(t), notwithstanding any contrary provision of the law, primary agricultural soils as defined in 10 V.S.A. § 6001 located on the site of a solar electric generation facility approved under Section 248 shall remain classified as such soils, and the review of any change in use of the site subsequent to the construction of the facility shall treat the soils as if the facility had never been constructed.

14. In the event the CPG is transferred pursuant to Commission Rule 5.110(D)(1), the CPG Holder shall file the required certificate transfer form with the Commission before operating the system.

15. This Certificate of Public Good shall not be transferred before receiving the approval of the Commission.

Dated at Montpelier, Vermont, this 13<sup>th</sup> day of June, 2019.

	)	
Anthony Z. Roisman	)	PUBLIC UTILITY
	)	
	)	
Margaret Cheney	)	COMMISSION
	)	
	)	
Sarah Hofmann	)	OF VERMONT

OFFICE OF THE CLERK

Filed: June 13, 2019

Attest: Judith C. Whitney  
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))*

16-0042-NMP Service List

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