

SHEMS DUNKIEL RAUBVOGEL & SAUNDERS PLLC

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February 9, 2010

By Hand Delivery

Mrs. Susan Hudson, Clerk
Vermont Public Service Board
112 State Street, Drawer 20
Montpelier, VT 05620-2701

Re: Petition of Addison Solar Farm, LLC, pursuant to 30 V.S.A. § 248, for a certificate of public good authorizing the installation and operation of a one MW solar electric generation facility located at Route 7 and Monkton Road, Ferrisburgh, Vermont, to be known as the Ferrisburgh Solar Farm Project.

Dear Sue:

On behalf of Addison Solar Farm LLC ("ASF"), I am pleased to enclose for filing in the above matter the original and six copies of a section 248 Petition requesting Board approval for the installation and operation of a one MW solar electric generation facility in Ferrisburgh, Vermont, to be known as the Ferrisburgh Solar Farm Project.

As ASF informed the Board by letter dated December 23, 2009, the Project was selected in the lottery for the SPEED Standard Offer Program, and a Standard Offer contract has been executed. The statutory purpose of the Standard Offer program is to encourage the rapid deployment and commissioning of in-state renewable energy projects of 2.2 MW or less in size, through the establishment of long-term power contracts with fixed prices. The prices were recently reset by the Board in its January 15, 2010 Order in Docket 7533. In that Order the Board found that it is unlikely that a solar project would be economically viable if it could not utilize the Vermont Business Solar Tax Credit, which requires a project to be constructed and operational by December 31, 2010. Board Order at 48.

The Ferrisburgh Solar Farm Project is in this precise situation, and will not be built in the absence of the tax credit. As a result, the Section 248 review process will need to be as efficient as possible in order to meet the December 2010 in-service deadline. ASF has and will continue to do everything within its control to ensure an efficient process, including having filed its 45-day notice within days of executing the Standard Offer contract and filing this Petition as soon as the 45 day period expired.

ASF respectfully requests that the Board review this 248 Petition and render a decision so that, if a CPG is granted, sufficient lead time exists to order the equipment and construct the Project in calendar year 2010. In that regard, the Board has broad authority to “[t]ake such other measures as the board finds necessary or appropriate to implement SPEED.” 30 V.S.A. § 8005(b)(9). Understanding that a schedule cannot be set until the prehearing is conducted, we offer the following proposed timeline for this Project:¹

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|--|----------------------|
| • 45-Day Notice | 12/23/09 |
| • File 248 Petition | 02/09/10 |
| • Prehearing
(and discovery on ASF by DPS and ANR begins) | mid/late February |
| • Site Visit/Public Hearing | early/mid March |
| • Motions to Intervene (and Responses) | early/mid March |
| • Discovery on ASF | through end of March |
| • Other Parties file Direct Testimony | early April |
| • Discovery on Other Parties’ Direct | through end of April |
| • Pomerleau files Rebuttal Testimony | mid May |
| • Discovery on ASF Rebuttal | through early June |
| • Technical Hearings
(live surrebuttal if needed) | early June |
| • Post-Hearing Briefs | mid/late June |
| • Proposed Date for PSB Decision | early July |
| • Expiration of 30-day appeal period | early August |
| • Order/receive equipment | August-September |
| • Construction | October-November |
| • Project Operational | by end of December |

We believe this is a reasonable schedule given the relatively limited scope of issues that a project of this type should raise, and given the discretion accorded to the Board in the SPEED legislation.

To help facilitate the scheduling of the public hearing, ASF has contacted the Town of Ferrisburgh regarding the Ferrisburgh Community Center located in the Grange Hall. This building is handicap accessible, and has two different rooms holding 210 and 60 people, respectively. We have asked the Town to hold the 60 person room for the dates of March 4, 8th, 15th and 23rd, in the hopes that one of these dates (the earliest one being preferable) will be acceptable to the Board. Please let me know if there is anything further you would like us to do to secure a meeting place.

¹ Many of these dates could be compressed further should there be an opportunity to enter stipulations/settlements in the case.

Service on Entities Listed in 248(a)(4)(C).

Please be advised of the following with respect to service on certain statutory interested parties entitled under section 248(a)(4)(C) to receive a copy of the "application." In order to avoid waste and reduce cost, ASF is serving a copy of the Petition and an *electronic-only* copy of all testimony and exhibits on the following entities or persons who, in the experience of the undersigned, rarely participate in 248 cases: the Attorney General, the Department of Health, the Scenery Preservation Council, the State Planning Office, the Agency of Transportation, and the Agency of Agriculture, Food and Markets. If any of these entities wish a complete hard copy of any of the materials filed herewith, they need only inform the undersigned and we will send them one. All other persons or entities identified in section 248(a)(4)(C) are receiving a hard copy and electronic copy of all items identified above.

Notice to Adjoining Landowners.

Pursuant to PSB Rule 5.402(B), ASF is providing a hard copy of this letter and the Petition to adjoining landowners.

Addison Solar Farm LLC is pleased to file this Petition and looks forward to commencement of the Board's review of its proposal. Please do not hesitate to contact us if you need any further information, and thank you for your attention to this matter.

Sincerely,



Andrew Raubvogel

SEMS DUNKIEL RAUBVOGEL & SAUNDERS PLLC

Encls.

cc: Service List

Enclosures

1. Certificate of Service
2. Notice to Adjoining Landowners
3. Notice of Appearance
4. Section 202(f) Letter
5. Petition for a Section 248 Certificate of Public Good
6. Index of Section 248 Criteria and Corresponding Evidence
7. Prefiled Direct Testimony and Exhibits of the following witnesses:
 - a. Ernie Pomerleau and Leigh Seddon
 - b. Scott Mapes
 - c. Mark Kane