

Presentation on Deadlines for PUC Decisions: H.366
Vermont House Energy & Technology Committee
April 10, 2019

By
Leslie A. Cadwell
Legal Counselors & Advocates, PLC

WHY DEADLINES?



Deadlines work – see 248a stats



Deadlines guide agencies in prioritizing and organizing their work to meet important state policy objectives



Deadlines promote accountability, efficiency, and fairness to applicants and the public



Deadlines provide clear target for budget-related performance standards

2011
ACT NO. 53 § 1
LEGISLATIVE
FINDINGS

“All ARRA broadband funds must be expended within three years or they revert to the federal government.

To insure federal timelines are met, a thorough and expeditious permitting process must be available for the build-out of telecommunications facilities.

To this end, Vermont has adopted a process under 30 V.S.A. Section 248a for issuance of certificates of public good for telecommunications facilities by the public service board.

Pursuant to statute, the board in 2009 adopted a simplified process under section 248a.

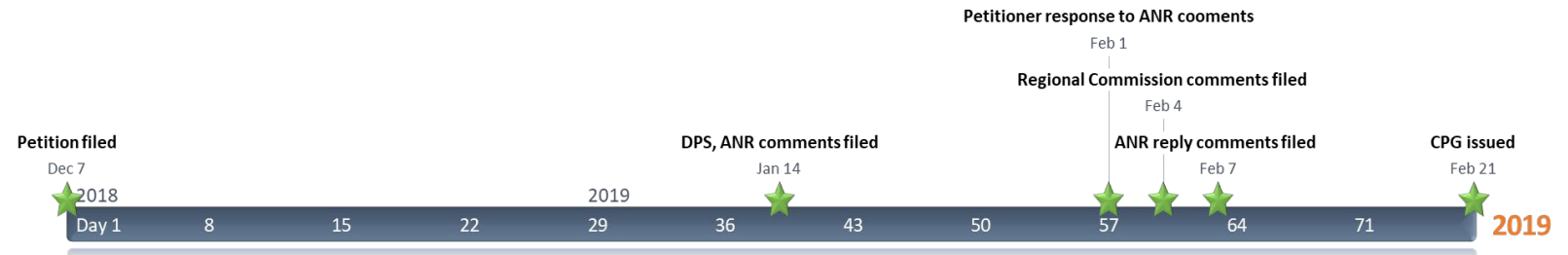
Under that process, the board's average time for reviewing an application under section 248a has been 44 days, and its longest period for processing such an application has been 77 days.

An intent of this act is to maintain or improve these timelines and to manage a potential increase in the volume of applications.”

80-FOOT-TALL TELECOM TOWER

CPG 2/21/2019

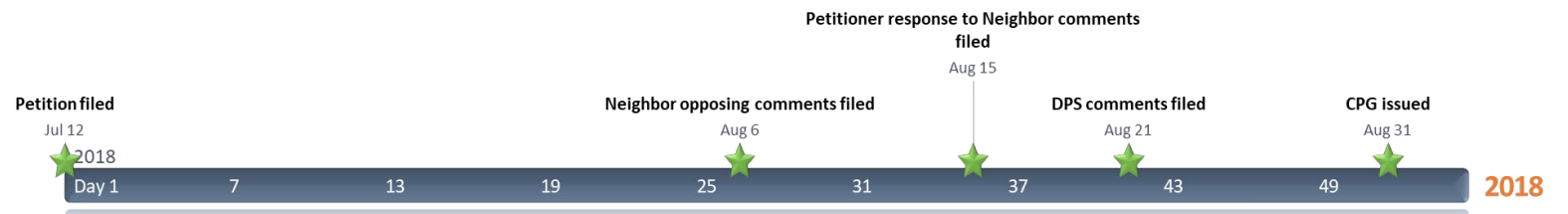
- 3,597 feet elevation on mountaintop
- Located in RINA with endangered plant and threatened bird species
- 700 sq. ft. tree clearing
- 12' by 36' building on concrete piers for electronic equipment
- 30 kw emergency diesel generator, tested weekly
- 30-day comment period
- **76 days**



100-FOOT-TALL TELECOM TOWER

CPG 8/31/2018

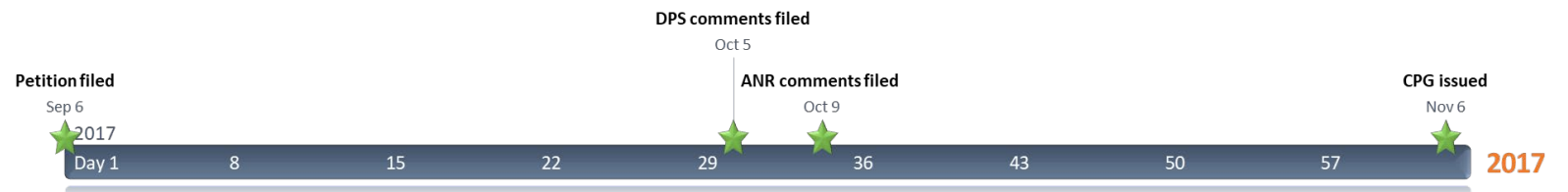
- 2,500 sq. ft. tree clearing
- 5,888 sq. ft. permanent disturbance
- 12' by 20' building on 10" thick concrete pad for electronic equipment
- 25 kw emergency propane or diesel generator, tested weekly
- 500-gallon propane tank (if needed)
- 500 sq. ft. new impervious surface area
- 30-day comment period
- **50 days** (no comments from ANR)



110-FOOT-TALL TELECOM TOWER

CPG 11/6/2017

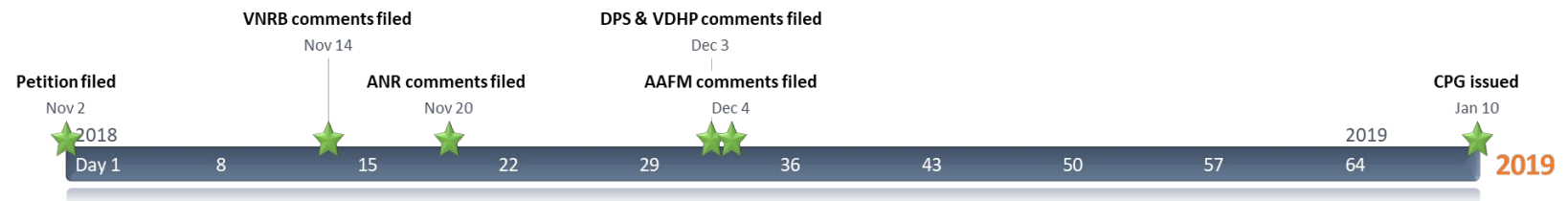
- 8,450 sq. ft. tree clearing
- 3,250 sq. ft. permanent disturbance
- 2,704 sq. ft. impervious surface
- 12' by 20' building on 10" thick concrete pad for electronic equipment
- 35 kw emergency propane or diesel generator, tested weekly
- 1000-gallon propane tank on concrete pad (if needed)
- 3,800 ft. long new access road adjacent to wetlands
- 30-day comment period
- **61 days**



500 KW FIXED GROUND MOUNT SOLAR ARRAY

CPG 1/10/2019

- 7,840 sq. ft. shrub & sapling removal in mowed field
- 5,077 sq. ft. permanent disturbance & impervious surface area
- 3-pole mounted transformers
- 345-foot, 3-phase line extension
- Electric metering, disconnect mounted on pedestal
- 30-day comment period
- **69 days**



500 KW FIXED GROUND MOUNT SOLAR ARRAY

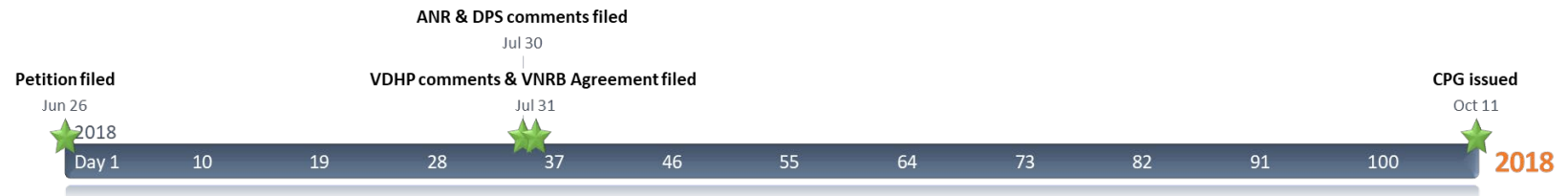
CPG I/10/2019

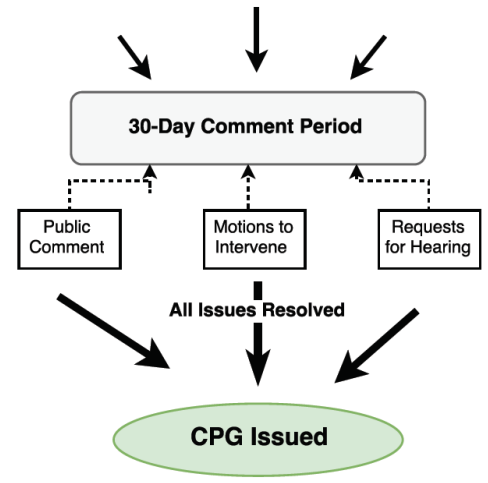
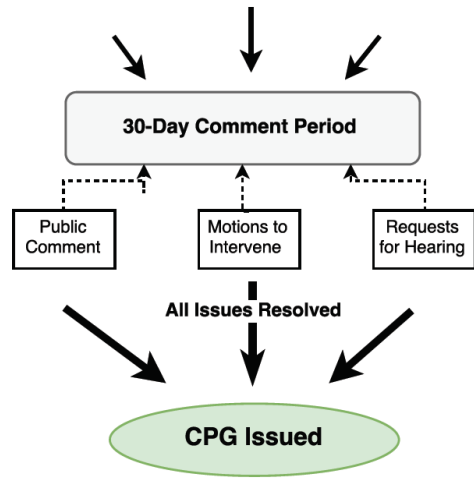
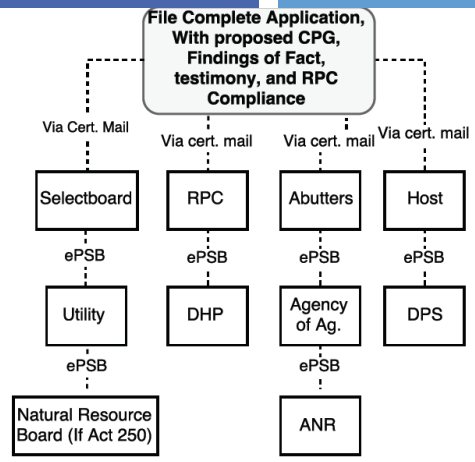
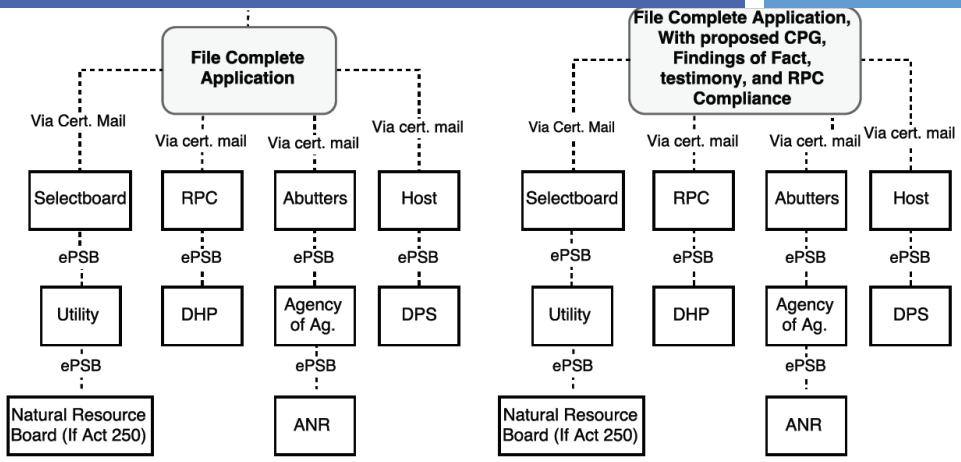
- No tree clearing, open hay field
- 4,356 sq. ft. permanent disturbance
- 250-foot long gravel access road
- 5,662 sq. ft. impervious surface
- 3-pole mounted transformers
- Electric metering, disconnect mounted on pedestal
- 30-day comment period*
- **202 days**



500 KW FIXED GROUND MOUNT SOLAR ARRAY - CPG 10/11/2018

- Former rock extraction site, 3,500 sq. ft. sapling and shrub removal
- 1,190 sq. ft. permanent disturbance & impervious surface area
- New gravel turnaround
- 3-pole mounted transformers
- Electric metering, disconnect mounted on 5' by 6' pedestal
- 30-day comment period
- **107 days**





30 days

30 days

PUC decision should be ready within **30 days** after close of comment period (not 50 days) for total of **60 days** from complete petition/application.

~~Total (min.): 80+ Days~~

~~Total (min.): 80+ Days~~



THANK YOU!

QUESTIONS?