

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7611

Petition of Chittenden County Solar Partners, LLC,)
pursuant to 30 V.S.A. § 248, for a certificate of)
public good authorizing the installation and)
operation of a 2.2 MW solar electric generation)
facility located at Dubois Drive, South Burlington,)
Vermont)

Entered: 9/15/2010

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. SECTION 248

IT IS HEREBY CERTIFIED that the Public Service Board ("Board") of the State of Vermont this day found and adjudged that the proposed installation and operation of a solar electric generation facility in the City of South Burlington, Vermont, by Chittenden County Solar Project, LLC ("CCSP") (the "Project"), 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, and maintenance of the proposed Project shall be in accordance with the plans and evidence as submitted in these proceedings. Any material deviation from these plans must be approved by the Board.
2. The proposed Project is hereby certified as a Sustainably Priced Energy Enterprise Development (SPEED) project.
3. CCSP shall comply with any applicable requirements regarding the disclosure of renewable attributes that are established in other proceedings, including Docket 7533, and Board Rules.
4. Prior to commencement of construction, CCSP shall submit the Green Mountain Power System Impact Study to the Board for approval, after review and comment by the Department of Public Service. CCSP may seek permission from the Board to commence construction activities prior to approval of the System Impact Study, provided that the construction activities do not involve the installation of any electrical equipment related to the interconnection of the Project with Green Mountain Power Corporation's distribution system.

5. CCSP shall pay the entire cost of the distribution system upgrades related to the Project.

6. All construction activities shall comply with the site-specific Erosion Prevention and Sediment Control Plan developed for the proposed Project.

7. Prior to commencement of construction, CCSP shall submit to the Board for review and approval a plan for decommissioning that includes a detailed estimate of the projected decommissioning costs and a plan for the creation of a Fund. CCSP shall ensure that the Fund (1) is backed by an "irrevocable standby" Letter of Credit or another appropriate financial security, (2) increases over time to account for inflation, and (3) is bankruptcy-remote, to protect it from creditor claims in the event the proposed project encounters financial difficulties. Parties shall have one week, from the date the plan is filed with the Board, to file any comments. Project construction may not commence until the Board approves the decommissioning plan and fund mechanism.

8. Prior to commencement of construction, CCSP shall obtain all necessary permits and approvals. Construction, operation, and maintenance of the proposed project shall be in accordance with such permits and approvals, and with all other applicable regulations, including those of the Agency of Natural Resources ("ANR").

9. CCSP shall not undertake any physical improvements to the portion of the Project site that will be covered by any pedestrian easement granted to the City of South Burlington (as depicted on the revised site plan dated June 23, 2010), aside from improvements to the site's access road as described in CCSP's prefiled testimony. In any such easement, CCSP shall include language that requires ANR approval prior to the improvements to the land that is subject to the pedestrian easement (aside from the access road, which shall be governed by the September 15, 2010, Order in this docket, and any Conditional Use Determinations ("CUDs") granted by ANR).

10. CCSP shall obtain any necessary CUDs from ANR for work in Class Two wetlands or wetland buffers prior to commencing construction in any areas that require CUDs. The existing site access road will require structural improvements in order to support heavy construction vehicles during the construction period. Because a CUD will be required for those planned improvements, CCSP shall obtain a CUD for that work prior to using the existing site access road for heavy construction vehicles. To the extent that CCSP can use the existing site access

road without undertaking the improvements that require a CUD, CCSP may access the site to undertake any work that does not require a CUD.

11. CCSP shall submit a Planting and Vegetation Maintenance Plan (the "Plan") to ANR for review, and shall make good faith efforts to obtain ANR's concurrence with the Plan, prior to submission to the Board for final review and approval. The Project may not become operational until the Plan has been finalized and approved by the Board.

12. In order to protect nesting grassland birds, CCSP shall not mow or hay the Project site between the dates of April 15 and August 1 of each year.

13. This Certificate of Public Good shall not be transferred without prior approval of the Board.

DATED at Montpelier, Vermont, this 15th day of September, 2010.

<u>s/ James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/ David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/ John D. Burke</u>)	

OFFICE OF THE CLERK

Filed: September 15, 2010

Attest: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)