

November 9th, 2022



Ms. Holly Anderson, Clerk
Vermont Public Utility Commission
112 State Street, 4th Floor
Montpelier, VT 05602

Re: PUC Proposed Rule 5.400 Revisions (Case No. 21-0861-RULE)

Dear Clerk Anderson,

Renewable Energy Vermont (REV) is grateful for the opportunity to provide additional comments to the Commission in the ongoing Rule 5.400 rulemaking process. Here we add our support to the 11/2/22 filing by Vermont Electric Power Company (VELCO) addressing the issue of interventions by host and adjoining landowners.

As REV has articulated in our prior comments, we are concerned that eliminating intervention thresholds for granting adjoining landowner party status will unnecessarily increase Section 248 permitting costs and timelines, and increase the workload for the Commission staff and applicants alike. REV supports *meaningful* involvement in Section 248 cases but such involvement is already protected under the current Rule 5.400.

REV concurs with VELCO's assertion that the Commission's proposal to grant automatic landowner party status would seem to contradict the Legislature's intent given that the Legislature granted party status to adjoining landowners in Act 250 (for landowners with a particularized interest) but declined to do so for § 248 proceedings. Further, we agree with VELCO that the currently proposed language deprives the Commission of any ability to impose meaningful limits on landowner interventions to avoid creating undue delays, costs, and prejudices in § 248 cases and that this is at odds with the imperative to address the climate crisis, customer equity concerns, and other public policy interests that require rapid investment in energy infrastructure.

In light of these issues, REV supports VECLCO's proposal to include language specifying the provisions of Commission Rule 2.209(B) apply to interventions of adjoining landowners as a necessary minimum threshold for guiding the intervention right of adjoining landowners.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Dowds".

Jonathan Dowds
Deputy Director