

VERMONT SUPREME COURT
109 State Street
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www.vermontjudiciary.org



Case No. 22-AP-286

ENTRY ORDER

DECEMBER TERM, 2023

In re Petition of Apple Hill Solar LLC* } APPEALED FROM:
 } Public Utility Commission
 } CASE NO. 8454

In the above-entitled cause, the Clerk will enter:

Appellant moves for reargument and requests that this Court stay the mandate and any ruling on the motion to reargue pending the resolution of several federal cases.

A mandate may be stayed only “for good cause shown,” and “[t]he stay must not exceed 30 days, unless the period is extended for good cause.” V.R.A.P. 41(c)(2). Though appellant seeks to stay the mandate indefinitely, it does not argue that good cause is present here. Nor does appellant explain how the outcome of the referenced federal cases could be relevant to our ruling on its motion to reargue given that such a motion may raise only those points of law or fact which were “presented in the briefs upon the original argument.” V.R.A.P. 40(b)(1). Appellant’s requests to stay the mandate and to stay this Court’s ruling on its motion for reargument are therefore denied.

Appellant’s motion for reargument is denied because it fails to identify points of law or fact presented in the briefs upon the original argument which were overlooked or misapprehended by this Court. See V.R.A.P. 40(b)(1).

BY THE COURT:


Paul L. Reiber, Chief Justice


Harold E. Eaton, Jr., Associate Justice


Karen R. Carroll, Associate Justice


William D. Cohen, Associate Justice


Nancy J. Waples, Associate Justice