

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7970

Petition of Vermont Gas Systems, Inc. for a)
certificate of public good, pursuant to 30 V.S.A.)
§ 248, authorizing the construction of the)
"Addison Natural Gas Project" consisting of)
approximately 43 miles of new natural gas)
transmission pipeline in Chittenden and)
Addison Counties, approximately 5 miles of)
new distribution mainlines in Addison County,)
together with three new gate stations in)
Williston, New Haven and Middlebury,)
Vermont)

Order entered: 2/5/2013

PREHEARING CONFERENCE MEMORANDUM AND SCHEDULING ORDER

On December 20, 2012, Vermont Gas Systems, Inc. ("VGS"), filed a petition with the Vermont Public Service Board ("Board") requesting a certificate of public good under 30 V.S.A. § 248 to construct and operate the "Addison Natural Gas Project" (the "Project"). The Project involves the proposed construction of approximately 43 miles of natural gas transmission pipelines in Chittenden and Addison Counties, approximately 5 miles of new distribution mainlines in Addison County, and new gate stations in Williston, New Haven and Middlebury, Vermont. VGS made a supplemental filing on January 29, 2013, describing a "proposed realignment" of the Project's proposed pipeline corridor in several locations in light of community response to the initial filing. The January 29 submission also included a proposed procedural schedule.

The Board conducted a duly noticed prehearing conference on January 30, 2013. Appearances were entered by Louise Porter, Esq. and Timothy Duggan, Esq., for the Vermont Department of Public Service; Kimberly K. Hayden, Esq., Downs Rachlin & Martin PLLC, for

VGS; Judith Dillon, Esq., for the Vermont Agency of Natural Resources ("ANR"); Diane E. Zamos, Esq., for the Vermont Agency of Agriculture, Food and Markets; Paul Gillies, Esq., Tarrant, Gillies, Merriman & Richardson, LLP, for the Town of Williston; Benjamin W. Putnam, Esq., Neuse, Duprey & Putnam, P.C., for the Town of Middlebury; Joshua R. Diamond, Esq., Diamond & Robinson, P.C., for the Town of Monkton; Cindy Ellen Hill, Esq., for the Town of New Haven; Adam G. Lougee, Executive Director for the Addison County Regional Planning Commission; Adam T. Conway, Esq., Couch White, LLP, for International Business Machines Corporation; Mark Sciarrotta, Esq., for Vermont Electric Power Company, Inc., and Vermont Transco, LLC; and Richard H. Saudek, Esq., Cheney Saudek & Grayck PC, for the Vermont Fuel Dealers Association.¹

At the prehearing conference, VGS clarified that it intends to submit a revised petition on February 28, 2013, to reflect the realignment of the proposed pipeline route. VGS indicated that the revised route described in the January 29 submission is likely to be the route reflected in its forthcoming revised petition but that further refinements are possible in light of ongoing discussions with ANR.

After a discussion on the record concerning the terms of the procedural schedule that should govern this proceeding in light of the pending revisions to the petition, we adopted the following partial schedule:

February 28, 2013	VGS to submit revised petition
March 21, 2013, 7:00 p.m., location to be determined	Public Hearing
March 29, 2013	Date for filing motions to intervene
April 5, 2013	Date for filing responses to motions to intervene

We further established a deadline of February 8, 2013, to submit proposals for the schedule to govern the remainder of the proceeding, with the additional instruction that such proposals provide for technical hearings to begin on September 16, 2013. We also stated that we would

1. Several other persons addressed the Board during the prehearing conference but as yet have not entered formal notices of appearance pursuant to PSB Rule 2.201(A).

possibly conduct at least one additional public hearing and invited parties to comment on that subject when making their scheduling proposals.

When we invited comment at the prehearing conference on scheduling issues, several persons briefly addressed themselves to the merits of VGS' petition. Particularly in light of those substantive comments, we remind those with an interest in this proceeding that persons wishing to participate in the Docket as full parties must file a motion to intervene pursuant to PSB Rule 2.209. Individuals who are contemplating such a request should keep in mind that intervenor status confers both rights (e.g., presentation of formal testimony, participation in discovery, cross-examination of witnesses) and responsibilities (e.g., service of pleadings on all other parties, compliance with discovery requests, adherence to scheduling deadlines). Additionally, interested Vermonters have the option of providing comments to the Board on the petition by participating in the public hearing upcoming on March 21. The Board also welcomes written public comments via either U.S. Mail or email. Finally, anyone who wishes to learn more about how to share their views with the Board may also find it helpful to consult the *Citizens' Guide to the Vermont Public Service Board's Section 248 Process*, available at psb.vermont.gov/forconsumersandthepublic.

With respect to all further proceedings in this docket, **parties shall file an original and seven (7) copies** of all documents with the Board (rather than the original and six copies normally required under PSB Rule 2.204).² In addition, parties shall provide the Board with an electronic copy of all testimony, motions and responses, and briefs (e-mail submission is acceptable to psb.clerk@state.vt.us). If the electronic filings are submitted in .pdf format, they must be submitted in a form that permits the Board to search the document and extract text.

SO ORDERED.

2. PSB Rule 2.204 further requires that on the same day a party files a pleading with the Board, the party serve one copy of the document (via U.S. Mail or hand delivery) on every other party who has filed a notice of appearance in the docket. The Clerk of the Board maintains an official service list for this purpose. Parties are free to agree among themselves that they will serve documents on each other via email in lieu of (or in addition to) hard copies.

Dated at Montpelier, Vermont, this 5th day of February 2013.

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

OFFICE OF THE CLERK

FILED: February 5, 2013

ATTEST: s/Judith C. Whitney
Deputy 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)