

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 17-3550-INV

Investigation pursuant to 30 V.S.A. §§ 30 and 209 regarding the alleged failure of Vermont Gas Systems, Inc. to comply with the certificate of public good in Docket 7970 by burying the pipeline at less than required depth in New Haven, Vermont	
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Case No. 18-0395-PET

Notice of Probable Violations of Vermont Gas Systems, Inc. for certain aspects of the construction of the Addison natural gas pipeline	
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Order entered: 11/10/2021

OBJECTION TO THE ADMISSIBILITY OF LIEBERT AND PALMER PREFILED TESTIMONY MOOT

On October 11, 2021, Vermont Gas Systems, Inc. (“Vermont Gas”), filed with the Vermont Public Utility Commission (“Commission”) pursuant to Commission Rule 2.216(C) an objection to the admissibility of the prefiled testimony of Gregory Liebert filed on September 10 and October 4, 2021, and of Nathan Palmer filed on September 10, 2021 (the “Vermont Gas objection”).¹

On November 9, 2021, Kristin Lyons, Lawrence Shelton, Nathan Palmer, Jane Palmer, and Rachel Smolker (the “Intervenors”) jointly filed notice that they were withdrawing this testimony of Mr. Liebert and Mr. Palmer.

This testimony will not be considered, and the Vermont Gas objection is moot.

SO ORDERED.

¹ Vermont Gas characterized its filing as a motion to strike testimony. However, motions to strike are governed by V.R.C.P. 12(f) and allow a court to strike from any pleading “any insufficient defense or any redundant, immaterial, impertinent, or scandalous matter.” Commission Rule 2.216(C) applies to prefiled testimony and directs parties to file objections to admissibility rather than motions to strike. Accordingly, I will treat Vermont Gas’s filing as an objection to the admissibility of prefiled evidence.

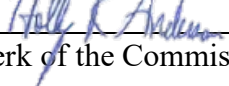
Dated at Montpelier, Vermont, this 10th day of November, 2021.



Michael E. Tousley, Esq.
Hearing Officer

OFFICE OF THE CLERK

Filed: November 10, 2021

Attest: 
Clerk of the Commission

Notice to Readers: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Commission (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: puc.clerk@vermont.gov)

PUC Case No. 17-3550-INV & 18-0395-PET- JOINT SERVICE LIST

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