

**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 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 )  
In Re: Second Remand )

**CONSERVATION LAW FOUNDATION’S COMMENTS ON AARP’S MOTION TO  
REOPEN THE EVIDENTIARY RECORD**

The Conservation Law Foundation (CLF) offers the following comments on the AARP motion to reopen the evidentiary record.

Conservation Law Foundation supports AARP's motion to reopen the evidentiary record. AARP's motion identifies specific documents that provide helpful information to the Board and do not unfairly prejudice any party, or cause any delay.

**1. The documents are helpful**

The information included in the three documents is helpful in determining whether to grant the 60(b) motion. The two pleadings and the press release shed light on what Vermont Gas Systems (VGS) knew about the cost of the project at the time that it was making representations about project costs to the Board. AARP or others can highlight what the documents show. Reopening the record to admit these documents simply provides additional helpful information to the Board.

## **2. No unfair prejudice**

Admitting the requested documents does not unfairly prejudice any party. These are documents that VGS either created itself or knew about. VGS cannot be surprised by either the existence or the contents of the documents. VGS, or others, can provide information as to what these documents show. Since these are all documents that VGS was well aware of or prepared itself, VGS suffers no unfair prejudice from reopening the case simply to admit these three additional documents.

## **3. No delay**

Admitting the requested documents will not cause delay. The hearings have completed and reply briefs have been filed. AARP has not requested any additional time or requested any delay for the Board or the parties to address the three documents. The additional documents simply fill out the record regarding information provided by VGS about the cost increase. Their admission will not cause any delay.

## **4. Conclusion**

For the foregoing reasons, the Board should grant the AARP motion and reopen the evidentiary record to admit the three additional documents.

Dated at Montpelier, Vermont, this 13th day of August 2015.

CONSERVATION LAW FOUNDATION

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