



To: Vermont PUC, Petitioner Vermont Gas Systems, and all Parties
From: Town of New Haven
Re: 45 day notice Comment Letter of the Town of New Haven in 24-2913-AN
Date: 10 16 2024

To the Vermont PUC, Petitioner Vermont Gas Systems, and all Parties:

The Town of New Haven wishes to express its concern regarding the fact that Vermont Gas Systems made substantial changes to the Project without seeking prior approval of the PUC and without prior notification to the affected parties, including the Town of New Haven. These changes, including using an unapproved pipeline burial method, and failing to bury the pipeline 4' deep, occurred within our Town.

As the Vermont Supreme Court stated at *In re Vermont Gas Systems*, 2024 VT 19 ¶4, the PUC's 2013 Final Order approving the Project was conditioned on, among other things, construction of the project in strict adherence to the plans submitted to the PUC. The Town of New Haven is a signatory to the Addison County Regional Planning MOU with Vermont Gas in Docket 7970, which also is conditioned upon the project being built in a lawful manner, in accordance with the plans submitted and approved in the CPG process.

It cannot be said that no harm has resulted from VGS's actions. VGS has demonstrated a **disturbing pattern of violating PUC conditions and public safety and environmental laws, evincing a practice of seeking forgiveness rather than permission**: Between 2015 and 2017 they were fined three times in relation to this project, for failing to timely report cost overruns, failing to observe federal safety regulations, and taking state-listed plants without a permit. *In re Vermont Gas Systems*, 2024 VT 19 ¶5.

The harm that has already occurred from this pattern is twofold: One is the creation of risk and the imposition of that risk on the land and people along the gas pipeline without their foreknowledge; and the second is the evaporation of trust. Vermont Gas has installed infrastructure in our community which, while it does provide energy resources which many consumers have chosen to purchase, also poses the potential for damage ranging from small to catastrophic. The Town of New Haven did not oppose the Project as initially proposed in the faith that Vermont Gas would fulfill its corporate and community obligations to follow our state and federal consumer protection, safety, and environmental laws, and build the project in the manner in which they had represented in their filings. They have repeatedly broken this faith.

The Town of New Haven intends to intervene in the Petition to Amend, and will assess its position and options for participation at that time.

Respectfully submitted,
The Town of New Haven,
By and Through its Legal Counsel,

/s/Cindy Ellen Hill, Esq.

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