

**STATE OF VERMONT  
PUBLIC SERVICE BOARD**

Docket No. 8816

Petition of Swanton Wind LLC for a )  
certificate of public good, pursuant to )  
30 V.S.A. § 248, for the construction of )  
an up to 20 MW wind-powered electric )  
generation facility powered by up to 7 )  
wind turbines located along Rocky Ridge )  
in Swanton, Vermont )

April 21, 2017

**RESPONSE OF THE VERMONT DEPARTMENT OF PUBLIC SERVICE TO THE  
INTERVENOR AND VERMONTERS FOR A CLEAN ENVIRONMENT MOTIONS**

The Vermont Department of Public Service (“Department”), by and through undersigned counsel, submits the following response to the April 12, 2017 motion for enlargement of time filed by Paula Kane on behalf of certain intervenors, and motion for reconsideration and extension of deadline for first round discovery questions filed by Vermonters for a Clean Environment (“VCE”) on April 13, 2017.

Petitioner Swanton Wind, LLC (“Swanton Wind”) filed a response on April 14, 2017 (“Swanton Wind Response”) not objecting to the motion for enlargement of time. Swanton Wind also “does not object if the Board sees fit to grant VCE’s motion and allow citizen intervenors who are VCE members to participate individually . . . on any issues with respect to which they and VCE have both articulated a substantial interest.” Swanton Wind Response at 2. Christine and Dustin Lang filed a response to the two motions on April 18, 2017 (“Lang Response”) and agreed with the “core substance” of both. Lang Response at 1. However, the Langs request that the Board schedule a status conference after ruling on the two motions to establish a schedule to issue first round discovery requests for the new parties and responses.

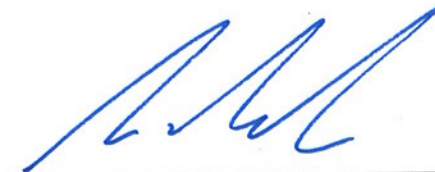
The Department neither opposes the intervenor's motion for enlargement of time, nor does it oppose VCE's motion to the extent that VCE's requested relief does not conflict with intervenor's motion. The Department interprets the Swanton Wind Response to suggest that the petitioner does not oppose individual intervenor's interests to be represented by themselves or their designee, as may be required by the Vermont Public Service Board's ("Board") April 6, 2017 order re interventions, regardless of whether those individuals are VCE members. The Department also does not oppose such a scope of intervention by the new citizen parties, as it prejudices no party in the proceeding and does not further complicate the Board's administration of the this proceeding.

Swanton Wind also requests that the Board set a May 8, 2017 deadline for new parties to serve discovery requests on Swanton Wind, and provide Swanton Wind with 30 days to respond to all discovery requests. These requests are consistent with the citizen intervenor motion and are reasonable. The Department does not object to Swanton Wind's requested timeline and suggests that a status conference is appropriate to establish deadlines in the proceeding past the completion of the first round of discovery.

Dated at Montpelier, Vermont this twenty-first day of April, 2017.

Respectfully submitted,

VERMONT DEPARTMENT OF PUBLIC SERVICE



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Aaron Kisicki  
Special Counsel

cc: Docket 8816 Service List