

STATE OF VERMONT
PUBLIC SERVICE BOARD

Case 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 plant powered by up to 7 wind turbines located along Rocky Ridge in Swanton, Vermont	
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Order entered: 1/26/2017

PROCEDURAL ORDER RE: LANG MOTION TO DISMISS

On December 30, 2016, intervenors Dustin and Christine Lang filed with the Vermont Public Service Board (“Board”) a motion to dismiss the petition in this proceeding, or in the alternative to deem the petition incomplete (the “Lang Motion”).

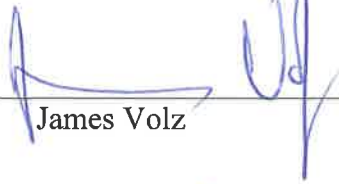
On January 17, 2017, Swanton Wind, LLC (“Swanton Wind”) filed its opposition to the Lang Motion.

An issue raised by the Lang Motion was Swanton Wind’s alleged failure to properly certify, pursuant to Board Rule 5.402(B)(3), that it identified adjoining landowners using the Swanton grand list as it existed no more than 60 days prior to the date notice of the petition was given to those landowners, and to provide the date when the grand list was certified.

Swanton Wind’s opposition does not appear to directly respond to this allegation. Swanton Wind shall file a response to this allegation no later than the close of business on February 10, 2017.


SO ORDERED.

Dated at Montpelier, Vermont this 26th day of January, 2017.


_____)

James Volz

) PUBLIC SERVICE


_____)

Margaret Cheney

) BOARD


_____)

Sarah Hofmann

) OF VERMONT

OFFICE OF THE CLERK

Filed: January 26, 2017

Attest: Judith C. Whitney
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) or any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)

PSB Docket No. 8816 - Service List - Parties

*sent to parties via
e-mail 1/26/17. jcw*

Parties:

Aaron Kisicki, Esq.
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Alison Milbury Stone, Esq.
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(For Swanton Wind LLC)

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(For Agency of Agriculture, Food & Markets)

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156 Battery Street
Burlington, VT 05401

(For Town of Swanton Selectboard
and Planning Commission &
For Town of Fairfield Selectboard)

Cindy Ellen Hill, Esq.
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(For Christine and Dustin Lang)

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(For Vermont Division for
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(For City of Burlington Electric Dept.)

Joseph S. McLean, Esq.
David W. Rugh, Esq.
Stitzel, Page & Fletcher P.C.
171 Battery Street, PO Box 1507
Burlington, VT 05402-1507

(For Northwest Regional Planning Commission)

*Motion to intervene pending.

Interested Persons:

James Volz, Margaret Cheney, Sarah Hofmann, Board Members
John J. Cotter, Esq., Gregg Faber, Mary Jo Krolewski, David Watts (PSB)

William H. Rice, A.A.G.
Vermont Agency of Transportation
National Life Building, One National Life Drive
Montpelier, VT 05633-5001

*Sent to IPs via e-mail
& mail 1/26/17. jcw/DB*

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Patricia P. Rainville
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Annette Smith, Executive Director
Vermonters for a Clean Environment
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✓ Sara Jane Luneau-Swan
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Sheldon, VT 05483

✓ Judith and Patrick Luneau
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✓ Fred & Kathy Parks
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✓ Sally Lindberg
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✓ Representative Marianna Gamache
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✓ Ed Stanak
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(Prefers e-mail: stanakvt@gmail.com)

✓ Representative Corey Parent
(Prefers e-mail: coreyparent@gmail.com)

~~JoAnn Q. Carson (Court Reporter)
11 Northshore Drive
Burlington, VT 05408~~

~~Kim Sears (Court Reporter)
18 Paddock Lane
Williston, VT 05495~~

Bender

Whitney, Judith

From: PSB - Clerk
Sent: Thursday, January 26, 2017 8:56 AM
To: 'Adrian, Edward, Esq.'; 'Azaria, Dale E., Esq.'; 'Cadwell, Leslie A., Esq. '; 'Ellis, William F., Esq. '; 'Hill, Cindy Ellen, Esq.'; 'Kehne, Melaniie, Esq.'; Kisicki, Aaron; 'McLean, Joseph S., Esq. '; 'Rugh, David, Esq.'; 'Stone, Alison Milbury, Esq.'; 'Welts, Leslie A., Esq.'
Subject: PSB Docket No. 8816 - Swanton Wind Project
Attachments: 8816ProceduralOrderReLangMotionToDismiss.pdf

Dear Parties: Enclosed is an Order issued today by the Public Service Board in the above-referenced docket.

Thank you.

-Judy Whitney, PSB

Judith C. Whitney
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Whitney, Judith

From: PSB - Clerk
Sent: Thursday, January 26, 2017 3:24 PM
To: 'Collopy, Sally'; 'Dubie, Brian'; 'Dubie, Penny'; 'Englander, David C., Esq. - DOH'; 'Gamache, Marianna'; 'Lindberg, Sally'; 'Luneau, Judith and Patrick'; 'Luneau-Swan, Sara Jane'; 'Parent, Corey'; 'Parks, Kathy and Fred'; 'Pforzheimer, Robert'; 'Pierce, Greg'; 'Rainville, Patricia P.'; 'Smith, Annette'; 'Stanak, Ed'
Subject: FW: PSB Docket No. 8816 - Swanton Wind Project
Attachments: 8816ProceduralOrderReLangMotionToDismiss.pdf

Dear Interested Persons in PSB Docket No. 8816 - Enclosed is an Order issued today by the Public Service Board in the above-referenced docket. Hard copies of the Order are also being sent.

Thank you.

-Judy Whitney, PSB

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