

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	
--	--

Order entered: 03/02/2017

PROCEDURAL ORDER RE: RESPONSE TO INTERVENTIONS AND SCHEDULE

On February 27, 2017, Vermonters for a Clean Environment, Inc. (“VCE”), an entity with an intervention motion pending before the Public Service Board (“Board”) in this proceeding, filed a motion seeking an enlargement of the current schedule that would extend the deadline for serving the second round of discovery requests on Swanton Wind, LLC (“Swanton Wind”) until a date two weeks after the Board rules on all pending intervention motions.

On February 28, 2017, Swanton Wind filed a letter with the Board requesting that the Board change the schedule in this case by: 1) extending the deadline for filing responses to pending intervention motions until March 15, 2017; 2) extending the deadline for Swanton Wind to serve responses to first round discovery until March 10, 2017; and 3) scheduling a status conference to discuss scheduling matters on a date three weeks after the Board rules on all pending intervention motions.

On March 1, 2017, intervenors Dustin and Christine Lang filed a letter in support of Swanton Wind’s request.

The Board currently has thirty-five intervention motions pending before it in this proceeding.¹ Thirty-four of those motions were timely filed by the February 16, 2017, deadline. One, from the Vermont National Guard, was late-filed on February 23, 2017. The

¹ The Board has already ruled on two recent motions to intervene, one filed by the Vermont Agency of Transportation and one filed by Green Mountain Power Corporation.

response deadline for the timely filed motions was February 23, 2017. Additionally, several existing parties served first-round discovery on Swanton Wind by the February 16, 2017 deadline, the responses to which were due March 2, 2017.

Given the number of pending intervention motions, the volume of discovery that Swanton Wind is currently responding to, and the requests for schedule changes from both Swanton Wind and VCE, the Board is suspending the existing schedule and establishing a limited number of deadlines as described below.

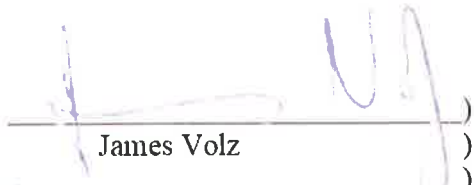
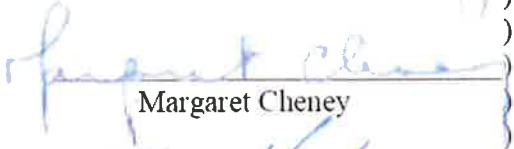

The deadline for responding to all pending intervention motions is March 15, 2017. Once the Board issues its order ruling on those intervention motions, all persons and entities granted party status shall have 14 calendar days from the date of that order to serve their first round of discovery requests on Swanton Wind. Existing parties that have already served discovery requests on Swanton Wind shall not be permitted to serve additional first-round requests on the petitioner. Swanton Wind shall respond to any such discovery requests within 14 calendar days from the date of service. Swanton Wind is, of course, free to respond sooner to any discovery requests that it has already been served from existing parties. In the event Swanton Wind responds to any such requests before the Board rules on the pending intervention motions, Swanton Wind shall serve copies of the same on all pending intervenors.

The Board will schedule a status conference to discuss a schedule for the remainder of this case after it issues its order ruling on the pending intervention motions.

With the exception of the deadlines established herein, the schedule for this proceeding is suspended.

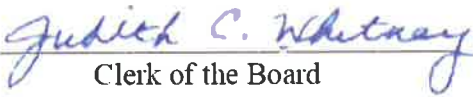
SO ORDERED.

Dated at Montpelier, Vermont this 2nd day of March, 2017

 _____)) PUBLIC SERVICE))
James Volz)	
 _____)	
Margaret Cheney)) BOARD)) OF VERMONT
 _____)	
Sarah Hoimann)	

OFFICE OF THE CLERK

Filed: March 2, 2017

Attest: 
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 Case No. 8816 - SERVICE LIST

Parties:

Edward Adrian, Esq.
Monaghan Safar Ducham PLLC
156 Battery Street
Burlington, VT 05401
eadrian@msdvt.com

(for Town of Fairfield) (for Selectboard and
Planning Commission of the Town of
Swanton)

^Dale Azaria, Esq.
Vermont Division for Historic Preservation
1 National Life Drive
Davis Building, 6th Floor
Montpelier, VT 05620-0501
dale.azaria@vermont.gov

(for Vermont Division for Historic
Preservation)

^Jennifer Belanger, *pro se*
4 Marcel Drive
St. Albans, VT 05478

^Diane Bell, *pro se*
P.O. Box 1603
Williston, VT 05495
Diane.lizzyb@gmail.com

^Erynn Boudreau, *pro se*
13 Rocky Ridge Road
Saint Albans, VT 05478
erynn.hale@gmail.com

^Tyrell Boudreau, *pro se*
13 Rocky Ridge Road
St. Albans, VT 05478
erynn.hale@gmail.com

^Mark Bushey, *pro se*
2499 Highgate Road
Saint Albans, VT 05478
markb12@comcast.net

^Mary Bushey, *pro se*
2499 Highgate Road
Saint Albans, VT 05478
marybushey@comcast.net

^David Butterfield, *pro se*
1954 Sheldon Road
Saint Albans, VT 05478
Dave@vttireonline.com

Leslie A. Cadwell, Esq.
Legal Counselors & Advocates, PLC
P.O. Box 827
Castleton, VT 05735
lac@lac-lca.com

(for Swanton Wind LLC)

^Bruce Collopy, *pro se*
157 Swizler Point
Fairfield, VT 05455
collopyfamilyfarm@gmail.com

^Sally Collopy, *pro se*
157 Swizler Point
Fairfield, VT 05455
collopyfamilyfarm@gmail.com

^Jessica Decker, *pro se*
2 Marcel Drive
Saint Albans, VT 05478

^Lance Desautels, *pro se*
2 Marcel Drive
St. Albans, VT 05478

^Luc Deslandes, *pro se*
1914 Sheldon Road, Apt. A
Saint Albans, VT 05478
mdandld@comcast.net

^Michelle Deslandes, *pro se*
1914 Sheldon Road, Apt. A
St. Albans, VT 05478
mdandld@comcast.net

^Brian Dubie, *pro se*
770 McKenzie Road
Fairfield, VT 05455
briandubie@gmail.com

^Marianne Dubie, *pro se*
1086 McKenzie Road
Fairfield, VT 05483
grnmtmaple@gmail.com

^Mark Dubie, *pro se*
1086 McKenzie Road
Sheldon, VT 05483
markddubie@gmail.com

^Penny Dubie, *pro se*
770 McKenzie Road
Fairfield, VT 05455
pennydubie@gmail.com

John K Dunleavy
Vermont Agency of Transportation
One National Life Drive
Montpelier, VT 05633
John.Dunleavy@vermont.gov

(for Vermont Agency of Transportation)

^Daniel Dunne, *pro se*
1185 Davis Avenue
Dunedin, FL 34698
dan.m.dunne@gmail.com

^Nancy Dunne, *pro se*
1185 Davis Avenue
Dunedin, FL 34698
nanadd100@gmail.com

^William F. Ellis
McNeil, Leddy & Sheahan
271 South Union Street
Burlington, VT 05401
wellis@mcneilvt.com

(for City of Burlington Electric Department)

^Edward Ferguson, III, *pro se*
19 Rocky Ridge Road
Saint Albans, VT 05478
sarahferguson333@gmail.com

^Sarah Ferguson, *pro se*
19 Rocky Ridge Road
St. Albans, VT 05478
sarahferguson333@gmail.com

^Kenneth Fox, *pro se*
1736 Reynolds Road
Fairfield, VT 05455
lumar@myfairpoint.net

^Danielle Garrant, *pro se*
1 Tremblay Road
Saint Albans, VT 05478

^Ian Garrant, *pro se*
1 Tremblay Road
St. Albans, VT 05478

^David A. Goodrich, *pro se*
2717 Nodyne Drive
Nashville, TN 37214
xkejagman68@aol.com

^Dennis Hendy, *pro se*
P.O. Box 1603
Williston, VT 05495
djhendy1@gmail.com

^Cindy Ellen Hill, Esq.
Hill Attorney PLLC
144 Mead Lane
Middlebury, VT 05753
lawyerhill@yahoo.com

(for Christine Lang) (for Dustin Lang)

^Mary Hunter, *pro se*
87 Lebel Drive
Saint Albans, VT 05478

^Paula J. Kane, *pro se*
12 Farrar Street
Saint Albans, VT 05478-1540

Melanie Kehne, Esq.
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001
melanie.kehne@vermont.gov

(for Vermont Agency of Agriculture, Food and
Markets)

Aaron Kisicki, Esq.
Vermont Department of Public Service
112 State Street
Montpelier, VT 05620-2601
aaron.kisicki@vermont.gov

(for Vermont Department of Public Service)

^Judith Luneau, *pro se*
141 Sweet Hollow Road
Sheldon, VT 05483
hillandale@gmail.com

^Patrick Luneau, *pro se*
141 Sweet Hollow Road
Sheldon, VT 05483
hillandale@gmail.com

^Sara Luneau-Swan, *pro se*
141 Sweet Hollow Road
Sheldon, VT 05483
hillandale@gmail.com

Owen McClain, Esq.
Sheehey Furlong & Behm P.C.
30 Main Street
P.O. Box 66
Burlington, VT 05402
omclain@sheeheyvt.com

(for Green Mountain Power Corporation)

^Karen McLaughlin, *pro se*
90 Lebel Drive
St. Albans, VT 05478
lkbmclaughlin@comcast.net

^Leo McLaughlin, *pro se*
90 Lebel Drive
Saint Albans, VT 05478
lkbmclaughlin@comcast.net

Joseph S. McLean, Esq.
Stitzel, Page & Fletcher, P.C.
171 Battery Street
P.O. Box 1507
Burlington, VT 05402-1507
jmclean@firmspf.com

(for Northwest Regional Planning
Commission)

^Frank B. Mehaffey, *pro se*
32 Lebel Drive
St. Albans, VT 05478

^Kaye Mehaffey, *pro se*
32 Lebel Drive
Saint Albans, VT 05478

^Patricia Messier, *pro se*
70 Sholan Road
Saint Albans, VT 05478

^Dolores Nichols, *pro se*
15 Rocky Ridge Road
St. Albans, VT 05478
doloresN81@comcast.net

^Kevin Nichols, *pro se*
15 Rocky Ridge Road
Saint Albans, VT 05478
doloresN81@comcast.net

^Carolyn Palmer, *pro se*
63 Swanton Hill Road
Fairfield, VT 05455

^Clark Palmer, *pro se*
63 Swanton Hill Road
Fairfield, VT 05455

^Paula Pearsall, *pro se*
64 Lamoille Terrace
Milton, VT 05468-3964
paulapearsall@myfairpoint.net

^Robert Perkins, *pro se*
573 Simone's Road
Fairfield, VT 05455
perkinsrp@yahoo.com

^D. Gregory Pierce, *pro se*
12 Farrar Street
St. Albans, VT 05478-1540
greg.pierce9@myfairpoint.net

^Gonzalo Pinacho
Vermont National Guard
Vermont National Guard
789 Vermont National Guard Road
Colchester, VT 05446
gonzalo.pinacho.mil@mail.mil

(for Vermont National Guard)

^Todd W. Poirier, *pro se*
1992 Sheldon Road
Saint Albans, VT 05478

^Patricia Rainville, *pro se*
1952 Sheldon Road
St. Albans, VT 05478

^Jeanne Royer, *pro se*
2066 Sheldon Road
Saint Albans, VT 05478-9704
jeanneroyer25@gmail.com

David W. Rugh, Esq.
Stitzel, Page & Fletcher, P.C.
171 Battery Street
P.O. Box 1507
Burlington, VT 05402-1507
drugh@firmspf.com

(for Northwest Regional Planning
Commission)

^Suzanne Seymour, *pro se*
448 White Camps Road
Fairfield, VT 05455
planetmassagevermont@gmail.com

^Annette Smith
Vermonters for a Clean Environment, Inc.
789 Baker Road
Danby, VT 05739
vce@vce.org

(for Vermonters for a Clean Environment, Inc.)

^John A. Smith, *pro se*
1952 Sheldon Road
Saint Albans, VT 05478
johna.smith@newtecgrou.net

^Terrance Smith, *pro se*
2070 Sheldon Road
Saint Albans, VT 05478

Alison Milbury Stone, Esq.
Legal Counselors & Advocates, PLC
PO Box 194
Burlington, VT 05402
Alison@lac-lca.com

(for Swanton Wind LLC)

^Bradley Stott, *pro se*
4 Marcel Drive
Saint Albans, VT 05478

^Curtis Swan, *pro se*
141 Sweet Hollow Road
Sheldon, VT 05483
hillandale@gmail.com

^Gilbert Tremblay, *pro se*
4 Tremblay Road
St. Albans, VT 05478
gilmarie@comast.net

^Marie Tremblay, *pro se*
4 Tremblay Road
Saint Albans, VT 05478
gilmarie@comcast.net

Leslie A. Welts, Esq.
Office of General Counsel, Vermont Agency
of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901
leslie.welts@vermont.gov

(for Vermont Agency of Natural Resources)

^Steven Woodward, *pro se*
2040 Sheldon Road
Saint Albans, VT 05478
casewood123@gmail.com

^Motion to Intervene pending.