

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7250

Amended Petition of Deerfield Wind, LLC, for a)
certificate of public good authorizing it to construct and)
operate a 17-turbine, 34-35.7 MW wind generation)
facility, and associated transmission and interconnection)
facilities, on approximately 80 acres in the Green)
Mountain National Forest, located in Searsburg and)
Readsboro, Vermont, with 7 turbines to be placed on the)
east side of Route 8 on the same ridgeline as the existing)
GMP Searsburg wind facility (Eastern Project Area), and)
10 turbines along the ridgeline to the west of Route 8 in)
the northwesterly orientation (Western Project Area))

Order entered: 9/20/2007

PREHEARING CONFERENCE MEMORANDUM
AND SCHEDULE FOR THE DOCKET

On January 8, 2007, Deerfield Wind, LLC ("Deerfield") filed a petition to construct a wind generation facility in Searsburg and Readsboro, Vermont. On March 9, 2007, the Public Service Board ("Board") issued an Order determining that the January 8 petition contained insufficient information to allow for meaningful review of the proposal. Deerfield filed supplemental testimony and exhibits on July 30, 2007, and an amended petition on August 15, 2007, which provide additional information regarding the proposed project. On September 6, 2007, the Board convened a prehearing conference.

At the prehearing conference, appearances were entered by Andrew Raubvogel, Esq. and Brian Dunkiel, Esq., for Deerfield; Laura Beliveau, Esq., for the Vermont Department of Public Service; and David Englander, Esq., for the Agency of Natural Resources. In addition, James Matteau for the Windham Regional Commission, Richard Saudek, Esq., for the Towns of Searsburg and Readsboro, Jake Brown for Vermont Natural Resources Council, John Kessler, Esq., for the Department of Housing and Community Affairs, and Gerald Degray, a landowner, were present at the prehearing conference.

Below we set forth the schedule for this docket, based on the discussion at the prehearing conference. Following the schedule set out below, we provide information regarding filing material with the Board, and address participation in Board cases.

Schedule

At the prehearing conference Deerfield circulated a proposed schedule for these proceedings. No party present objected to the schedule. The Board makes some minor changes and establishes the following schedule.

Site visit and public hearing	October 2, 2007
Deadline for Motions to Intervene	October 12, 2007, with responses due seven calendar days after each motion is filed
Discovery on Petitioner	Rolling through December 7, 2007, with responses due within 10 business days
Other Parties file Direct Testimony	December 21, 2007
Discovery on Other Parties' Direct Testimony	Rolling through January 25, 2008, with responses due within 10 business days, except that responses due between 12/26 and 1/2 will have an additional 3 business days
Petitioner files Rebuttal Testimony	February 8, 2008
Discovery of Petitioner's Rebuttal Testimony	Rolling through February 29, 2008, with responses due within 10 business days
Other Parties file Surrebuttal Testimony	March 14, 2008
Discovery on Other Parties' Surrebuttal Testimony	Rolling through March 28, 2008, with responses due within 10 business days
Petitioner files request for live sur-surrebuttal (if necessary)	April 4, 2008
Technical Hearings	April 7 through 11, 2008 April 28 through May 2, 2008
Initial Briefs	May 23, 2008
Reply Briefs	June 13, 2008

Filings

For the Board's purposes, parties need to file only one copy of all discovery correspondence with the Board and an original and six copies of all other filings. Electronic filings with the Board, in addition to the hard copies, are also requested, to the extent possible, particularly for testimony, exhibits, and briefs. An electronic filing may be submitted as an attachment to e-mail, sent to psb.clerk@state.vt.us, or it may be on a CD or DVD delivered along with the paper copy. Parties need file only a single copy of the CD or DVD. Parties filing electronic versions of documents may file them in WordPerfect, Word, .rtf., or .pdf (Adobe) formats. Parties filing in .pdf format should make sure that their documents are not locked, that is, that text can be selected and copied from their documents.

Intervention

Members of the public interested in these proceedings do not need to become a party, and go through the intervention process, in order to receive information regarding these proceedings or provide input to the Board. Individuals and organizations can request that they be added to the Board's mailing list as an "interested person," in which case they would receive notices and orders that the Board issues in the case. These notices and orders issued by the Board are also posted on the Board's website (www.state.vt.us/psb).¹ The public is also encouraged to submit written comments on the project electronically or via regular mail. While these comments do not become part of the evidentiary record (under Vermont law the Board's decision must be based upon the evidence presented by formal parties during the evidentiary hearings), public comments play an important role by raising new issues or offering perspectives that the Board should consider and ask parties to present evidence on.

If an individual, group or organization does choose to seek more active participation than providing comments or receiving notice of the proceedings, they may file a motion to intervene in this Docket. In making such a motion, the potential intervenor must demonstrate that it has a substantial interest which may be adversely affected by the outcome of the case, and address the requirements of Board Rule 2.209. Intervenors have the same obligations, in addition to the

1. In addition, certain of the filings and other information on this docket will be posted on the Board's website as well.

same rights, as the other formal parties, including the requirement that parties follow the Board's procedural rules. In addition, potential intervenors should be aware that there are costs involved in being a party in a docket such as this, both as to time and money.² An intervenor may provide testimony and participate in the evidentiary hearings and will be subject to the rules governing discovery and cross-examination. Individuals or groups that appear pro se (without the assistance of counsel) have most of the same responsibilities and rights of an attorney. For further information regarding intervention, providing public comments, and becoming an "interested person," please consult the *Citizens' Guide to the Vermont Public Service Board's Section 248 Process*, available on the Board's website at www.state.vt.us/psb or available from the Board in hard copy.

SO ORDERED.

Dated at Montpelier, Vermont, this 20th day of September, 2007.

<u>s/James Volz</u>	)	
	)	
	)	PUBLIC SERVICE
<u>s/David C. Coen</u>	)	
	)	BOARD
	)	
<u>s/John D. Burke</u>	)	OF VERMONT

OFFICE OF THE CLERK

FILED: September 20, 2007

ATTEST: s/Susan M. Hudson
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) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

2. These costs include providing copies of any filings with the Board to all parties in the Docket, as required by Board rules.