

July 26, 2013

Susan Hudson, Clerk  
Vermont Public Service Board  
112 State Street  
Montpelier, VT 05620-2701

RE: Order to Show Cause, Docket #7628

Dear Ms. Hudson,

The following comments are submitted on behalf of the Towns of Albany and Craftsbury regarding the Order to Show Cause of July 15, 2013 in Docket # 7628.

We appreciate the fact that the Board has found that the operations of Green Mountain Power's (GMP's) Lowell facility have clearly been in violation of the CPG.

We find ourselves absent resources necessary to fully engage in the proceeding outlined in the Order to Show Cause, which has come about entirely because of the failures of the developer. It is unfortunate, though perhaps predictable, that this situation exists where yet again the disparity and imbalance between the resources of the Towns and the project developer, GMP, make it impossible for us to adequately participate in this proceeding – unless corrective action is taken.

Therefore, we ask that the Board impose preliminary penalties on GMP for their permit violations in two phases:

- First, GMP should be required to pay for attorney fees and cost of expert witnesses so The Towns can fully and equally participate in this proceeding, which is only occurring because GMP violated their permit. These funds would allow us to develop and present a proposal for suitable penalty for violations of the CPG. Penalties which we argue should include financial and operational changes to better ensure violations do not occur and/or are dealt with more swiftly in the future.
- Second, the deadlines for prefiled testimony and the hearing should be extended to allow for this work to occur before the Board takes the matter under consideration.

Thank you for your attention to these issues and our concerns.

ALBANY SELECT BOARD

*S. Christopher Jacobs*  
*Carol Chaffee*  
*Anna [unclear]*

*Steve E. Wright*  
*Liaison, Town of*  
*CRAFTSBURY*

*Michael Nelson*  
*Intervener, Town of*  
*Albany*