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January 8, 2014

Mrs. Susan M. Hudson, Clerk
Vermont Public Service Board
112 State Street - Drawer 20
Montpelier, VT 05620-2701

Re: Docket No. 7628

Dear Mrs. Hudson:

Enclosed for filing in the above-referenced docket, please find an original and six copies of Comments and Recommendations of the Department of Public Service Regarding Green Mountain Power Corporation's Continuous Sound Monitoring Report.

Sincerely,



Geoffrey Commons
Director for Public Advocacy

Enclosures

cc: Attached Service List



**STATE OF VERMONT
PUBLIC SERVICE BOARD**

Docket No. 7628

Joint Petition of Green Mountain Power Corporation,)
Vermont Electric Cooperative, Inc., and Vermont)
Electric Power Company, Inc. for a certificate of public)
good, pursuant to 30 V.S.A. Section 248, to construct up)
to a 63 MW wind electric generation facility and)
associated facilities on Lowell Mountain in Lowell,)
Vermont, and the installation or upgrade of)
approximately 16.9 miles of transmission line and)
associated substations in Lowell, Westfield and Jay,)
Vermont)

**COMMENTS AND RECOMMENDATIONS OF THE DEPARTMENT OF
PUBLIC SERVICE REGARDING GREEN MOUNTAIN POWER
CORPORATION'S CONTINUOUS SOUND MONITORING REPORT**

The Department of Public Service ("Department" or "DPS"), by and through undersigned counsel, submits the following comments and recommendations in response to the Continuous Sound Monitoring Feasibility Study ("Report") filed by Green Mountain Power Corp. ("GMP") with the Public Service Board ("Board" or "PSB") on December 23, 2013. On August 8, 2013, the Board held a Show Cause Hearing in response to a number of GMP violations of Condition 39 of the Board's Final Order and Certificate of Public Good ("CPG") issued in the above-captioned docket. Condition 39 requires that GMP:

construct and operate the proposed project so that the turbines emit no prominent discrete tones pursuant to ANSI standards at receptor locations, and project-related sound levels at any existing surrounding residences do not exceed 45 dBA (exterior)(Leq)(1 hr) or 30 dBA (interior bedrooms)(Leq)(1 hr).

Docket 7628, Order dated May 31, 2011 at 165; CPG dated May 31, 2011 at 8.

The Department recommended, both at the Show Cause Hearing and in its post-hearing brief, that continuous sound monitoring near the project site, if feasible, could provide significant public benefit. Docket 7628, Tr. August 8, 2013 Hearing at 144; DPS Brief, dated August 28, 2013 at 5. On September 25, 2013, the Board issued a procedural

order requiring GMP to submit a report investigating the feasibility of continuous sound monitoring at the Project site. GMP filed the Report on December 23, 2013.

Continuous Sound Monitoring Options Should Be Evaluated Independently From the Existing Quarterly Monitoring Protocol

The Report makes extensive reference to the sound monitoring protocols approved by the Board on April 3, 2012, when examining the feasibility of continuous sound monitoring going forward. While the existing monitoring protocol is a helpful guide to evaluating continuous monitoring system and procedure options, the Board should not be bound to adopt the features of the existing protocol in determining the feasibility of a future system. The ability to reliably show compliance with the requirements of CPG Condition 39 should be the core standard that determines whether a vendor's technology option (within an acceptable price range) is feasible. Any vendor that is able to provide continuous monitoring of both the decibel and tonal levels of the Project sound emissions, and is able to demonstrate accuracy of the data recorded, should be considered as a possible option, irrespective of the requirements of the current sound monitoring protocol. Approval of a past monitoring protocol does not dictate the options available to the Board in monitoring CPG compliance now or in the future.

The Report Does Not Contain Sufficient Detail to Determine the Feasibility of Continuous Sound Monitoring

The Report presents a number of continuous sound monitoring options, both with respect to vendor and technology platform choices, and general monitoring procedures. The Report does not, however, make a final recommendation as to the overall feasibility of continuous monitoring. On one hand, the Report clearly shows that a number of monitoring systems are now available. This is encouraging, as GMP is able to evaluate a number of

systems, and is not limited by a very small number of options. On the other hand, the Report highlights many potential obstacles to installing and operating a continuous monitoring system at the Project site. These obstacles include concerns about providing power and communications capabilities to the receptor(s), the appropriate monitoring procedure, and the cost for implementing each option. Overall, the Report presents an incomplete picture of the feasibility of continuous monitoring.

The Report lacks detailed assessment of the specific vendor/technology options in relation to the general concerns raised. While the Department shares many of the concerns contained in the Report, these questions could largely be addressed with more detail outlining each system's capabilities. In addition to the general questions posed in the Report, the Department has a number of questions regarding each system proposed. Specific costs related to core system materials, installation, maintenance and calibration, analysis of data, communication, and power for each system are unknown at this time. Likewise, the technical capabilities of specific systems are not detailed in the report. For instance, communications and power options, cold weather operation capabilities, and the possibilities of vendor-specific maintenance requirements must be known in order to better understand monitoring feasibility.

Recommendations

The Department recommends that the Board allow parties to serve two rounds of discovery on GMP to better determine the technical capabilities and requirements of each vendor named in the Report, as well as a cost breakdown for each vendor's equipment and services. The Department will then provide final comments and recommendations on the feasibility and scope of continuous sound monitoring at the project site. The Department further suggests the following schedule:

Initial Set of Discovery Requests on GMP:	One week after issuance of a Board Order
GMP Response to Initial Discovery Requests:	Two weeks after initial requests
Second Set of Discovery Requests on GMP:	Two weeks after initial GMP responses
GMP Response to Initial Discovery Request:	Two weeks after second requests
Final Comments and Recommendations:	Two weeks after second GMP responses

Dated at Montpelier, Vermont this 8th Day of January, 2014

Respectfully submitted,

VERMONT PUBLIC SERVICE DEPARTMENT



Geoffrey Commons
Director for Public Advocacy