

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)

Order entered: 4/10/2015

ORDER RE COMPLIANCE FILING

I. INTRODUCTION AND PROCEDURAL HISTORY

On February 9, 2015, Green Mountain Power Corporation ("GMP") filed with the Public Service Board ("Board") its final report on the impacts of Noise Reduced Operation mode ("NRO report" and "NRO mode") on GMP's wind electric generation facility located on Lowell Mountain in Lowell, Vermont (the "Project").

On February 25, 2015, the Board received via e-mail comments from Lowell Mountains Group ("LMG") critical of GMP's NRO report, requesting that the Board hire an independent expert to assist the Board in understanding the issues associated with the use of NRO mode.¹

On February 26, 2015, GMP filed a response to LMG's e-mail submission, asserting that its NRO report was in compliance with the requirements established in GMP's Certificate of

1. E-mail from Robbin Clark to Susan M. Hudson, Clerk of the Board, dated February 25, 2015 ("LMG complaint"). LMG's February 25th submission indicates that it was provided to all parties to the docket via e-mail on February 24, 2015.

Public Good ("CPG") and the final sound monitoring protocol applicable to the Project (the "Protocol").²

On March 30, 2015, the Department of Public Service ("DPS" or the "Department") filed a response to LMG's submission, stating that LMG did not specify which requirements it believed were violated by GMP's NRO report, and noting that the DPS was unable to identify any violations based on the information provided by LMG. The Department also noted its agreement with GMP's assertion that the NRO report complies with the relevant conditions and requirements, and stated that it could not recommend that the Board expend efforts through the hiring of an independent expert as requested by LMG.³

DISCUSSION

We have reviewed LMG's complaint, GMP's and the Department's responses thereto, the contents of the NRO report, and the requirements of the CPG and Protocol, and conclude that the NRO report meets the applicable requirements of the CPG and Protocol. Therefore, we decline to take any additional action in response to LMG's complaint.

According to LMG, "The NRO report doesn't actually document whether the NRO operations accomplish complying with sound-related constraints; nor how much the facility sound levels are lowered or if they were lowered at all during the time period in question."⁴ According to LMG, the report is deficient because the NRO status reporting in Attachment A isn't correlated to power or sound levels, no correlation is provided to establish the cost-effectiveness of NRO mode, and no basis is established to show that the conditions chosen for NRO activation were effective.⁵

Condition 41(d) of the CPG requires that GMP's approved Protocol include reports that "document every instance when NRO mode is triggered, with a description of how NRO affected

2. Letter from Peter H. Zamore, Esq., to Susan M. Hudson, Clerk of the Board, dated February 26, 2015.

3. Letter from Geoffrey Commons, Esq., to Susan M. Hudson, Clerk of the Board, dated 3/30/15.

4. LMG complaint.

5. LMG complaint.

operations."⁶ GMP's approved protocol requires GMP to file "an annual report documenting every instance when NRO mode is triggered and how it affected operations."⁷

A review of the contents of the NRO report indicates that these requirements have been met. Table 1 of the NRO report describes the specific conditions and times under which NRO mode is triggered, and identifies the turbines by number that are subject to NRO mode during those times and conditions. Additionally, the specific turbines, dates, and times when NRO mode was triggered during 2014 are found in Attachment A to the NRO report. Table 1 of the report also identifies which turbines are subject to either the 2 dB or 3dB NRO modes, and the effect on operations can be determined for any monitoring period using attachment B to the NRO report and the actual wind speeds reported in the seasonal monitoring reports filed by GMP. Additionally, Table 2 to the NRO report presents a monthly operational impact for the overall Project from the use of NRO mode.

LMG's criticisms appear to result either from a misunderstanding of what was required of GMP, or are aimed at the requirements themselves as being inadequate. Our review of the annual NRO report filed on February 9, 2015, leads us to conclude that it meets the requirements of both the CPG and the Protocol. We also find no basis in LMG's criticisms to alter those requirements.

CONCLUSION

For the foregoing reasons, we accept GMP's annual NRO report filed on February 9, 2015, as compliant with the requirements of GMP's CPG and approved Protocol.

SO ORDERED.

6. Docket 7628, CPG dated 5/31/11 at 9.

7. Protocol at 8-9.

Dated at Montpelier, Vermont, this 10th day of April, 2015.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/Margaret Cheney</u>	)	BOARD
	)	
	)	OF VERMONT
	)	

OFFICE OF THE CLERK

FILED: April 10, 2015

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)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and Order.