

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7867

Application of Seneca Mountain Wind, LLC, for authority,)
pursuant to 30 V.S.A. §§ 246 and 248, to install four)
temporary meteorological stations, two in the Town of)
Brighton, Vermont and one each in the Towns of)
Ferdinand and Newark, Vermont)

Order entered: 8/9/2013

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. SECTION 248

IT IS HEREBY CERTIFIED that the Public Service Board ("Board") of the State of Vermont this day found and adjudged that Seneca Mountain Wind, LLC's ("Seneca" or "Petitioner"), proposed installation of a four temporary meteorological stations, two in the Town of Brighton, Vermont and one each in the Towns of Ferdinand and Newark, Vermont (the "Project"), in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State, subject to the following conditions:

1. The Memorandum of Understanding ("MOU") between Seneca and the Vermont Agency of Natural Resources ("ANR") is adopted and Seneca shall comply with the terms of the MOU as adopted.
2. Construction, operation and maintenance of the Project shall be in accordance with the plans and evidence submitted in this proceeding. Any substantial change or material deviation from these plans must be approved by the Board. Failure to obtain advance approval from the Board for a substantial change or a material deviation from the approved plans may result in the assessment of a penalty pursuant to 30 V.S.A. Sections 30 and 247.
3. Prior to proceeding with construction, Seneca shall obtain all necessary permits and approvals. Construction, operation, and maintenance of the Project shall be in accordance with such permits and approvals, and with all other applicable regulations, including those of ANR.

4. Prior to commencing construction or site preparation, Petitioner shall file with the Board and Parties a letter stating that it has fulfilled all requisite Certificate of Public Good ("CPG") conditions, and that it intends to commence construction of the Project.

5. Seneca shall not install lighting on any of the temporary meteorological stations.

6. Prior to the commencement of construction activities for the Brighton, Bull Mountain, and Seneca Mountain MET towers, Seneca shall submit to the Board and ANR the results of a rare, threatened, or endangered ("RTE") plant inventory for each of those sites. If any RTE plant species are identified during the plant inventory, prior to the commencement of construction at those sites where RTE plant species are identified, Seneca shall submit a mitigation plan regarding such species and sites to the Board and ANR for review and approval.

7. Seneca shall not commence construction activities at the Hawk Rock site when winter conditions are present at the site.

8. Seneca shall remove the wind measurement towers and all associated equipment within five years of the date of this Certificate of Public Good and the site shall be restored substantially to its preconstruction condition pursuant to 30 V.S.A. § 246(c)(2).

9. Prior to commencing construction or site preparation, Seneca shall file a proposal to monitor the impacts of the Hawk Rock tower installation on the peregrine falcons for review and approval by the Board. Parties shall have fourteen calendar days to submit comments with the Board on the proposed monitoring plan.

This CPG shall not be transferred without prior approval of the Board.

Dated at Montpelier, Vermont, this 9th day of August, 2013.

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

OFFICE OF THE CLERK

Filed: August 9, 2013

Attest: s/Judith C. Whitney
Deputy 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)