

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: 9/20/2012

SCHEDULING ORDER

On August 15, 2012, I issued an Order titled *Third Procedural Order Re: Notice Requirements, Stay of Docket, and Motion for Intervention* ("Third Procedural Order"). In the *Third Procedural Order*, I determined that Seneca Mountain Wind, LLC's ("SMW") application was incomplete because it had not properly notified all landowners of record whose property adjoined the parcel on which its proposed meteorological tower project ("Project") would be located.¹ Consequently, I vacated the existing procedural schedule and stayed proceedings in this Docket so that this notice defect could be corrected.² The *Third Procedural Order* also stated that any comments and motions to intervene filed by adjoining landowners who received notice of SMW's Project as a result of the *Third Procedural Order* would be limited to the significant issues specified in the *June 29 Procedural Order*.³

On September 14, 2012, I issued an Order titled *Order re: Clarification of Third Procedural Order*, concluding that such a restriction should not be imposed on newly identified

1. Docket 7867, Order of 8/15/12 at 6

2. Docket 7867, Order of 8/15/12 at 6.

3. Docket 7867, Order of 8/15/12 at 7. The issues identified in the *June 29 Procedural Order* are the possibly adverse effect of: the Hawk Rock MET tower installation on black bear food sources and peregrine falcon habitat; the Hawk Rock MET tower installation on rare, threatened, or endangered species or natural communities; the Bull Mountain MET tower installation on black bear food sources; and the Brighton MET tower installation on black bear food sources. Docket 7867, Order of 6/29/12 at 11-12. The *Third Procedural Order* inadvertently referred to the *June 29 Procedural Order* as the *Second Procedural Order*.

adjoining landowners and allowing any such landowners to file comments and motions to intervene without the restriction imposed in the *Third Procedural Order*.

In today's Order, I am lifting the stay of this proceeding effective September 24, 2012, and I hereby adopt the following interim schedule for this docket:

September 24, 2012	Deadline for Comments and Motions to Intervene for any landowners first receiving notice as a result of the <i>Third Procedural Order</i>
October 1, 2012	Deadline for Responses to Motions to Intervene
October 12, 2012	Deadline for Parties to file Proposed Schedules for the remainder of the docket
October 18, 2012	Status Conference

Because the newly identified adjoining landowners are not on the Public Service Board's service list, I will provide copies of today's Order to any newly identified adjoining landowners listed on SMW's revised list of adjoining landowners filed as a result of the *Third Procedural Order*.

SO ORDERED.

Dated at Montpelier, Vermont, this 20th day of September, 2012.

s/Bridgette Remington
Bridgette Remington, Esq.
Hearing Officer

OFFICE OF THE CLERK

FILED: September 20, 2012

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)